

## SEARCY COUNTRY CLUB BY LAWS

Searcy, Arkansas  
Update January 2016

### I. PURPOSE

The purpose and powers of this club are those set forth in its Articles of Incorporation which are incorporated herein and made a part hereof as though set out word for word. In the event of any conflict between the provisions of said Articles of Incorporation and the Bylaws, the provisions of the Articles of Incorporation shall control.

### II. OFFICERS

- A. The regular officers shall consist of a president, a vice-president, a secretary, and a treasurer, although the secretary and treasurer positions may be filled by the same person.
- B. The president shall be ex-officio chairman of the Board of Directors and shall at all times preside at the meetings of the Board and perform such other duties as usually devolve on that officer. He shall appoint all members of various committees connected with the club. He shall have authority on his single authorization to contract on behalf of the club; provided, however, that the club shall in no way be obligated for any obligation authorized by the president alone if the amount exceeds \$200.00 for any one contract.
- C. The vice president shall perform the duties of the president in his absence or inability to act or in the case of his death or resignation, until a president is elected by the Board.
- D. At any meeting of the Board in the absence of the president and vice president, the Board may select a temporary presiding officer from the members of the Board present.
- E. The secretary and treasurer or other designee of the Board shall keep a record of the business proceedings of the club, be custodian of the archives of the club, and perform other duties as are usually devolved on that officer. The secretary shall be ex officio of the Committee on Admissions. The treasurer or other designee of the Board shall hold all money of the club which shall be deposited in the name of the club in such bank or banking institutions as shall be designated by the Board of Directors and such money shall be drawn only by check signed by any one of the officers of the club *AND* such person designated by the Board.

### III. BOARD OF DIRECTORS

- A. The Board of Directors shall have the authority to hire an assistant or assistants to the secretary and treasurer to help him or her in the performance of his or her duties. The

Board shall have the authority to hire any other employees as they deem necessary for the operations of the club.

- B. Such employees or officers of the club, as the Board shall direct, may be required to give a bond in a surety company, the premium for such bond shall be considered an expense item of the club.
- C. With the exception of the authorization heretofore given the president for limited financial commitments, this club shall not be obligated for any sum of money under any one contract where the amount exceeds \$2,500 unless there has been authorization and approval by the Board of Directors. The Board of Directors may appropriate and expend the monies of the club from time to time, in furtherance of its objects, subject to the Articles of Incorporation and the powers therein, and audit and approve bills for the same, which approval shall be evidenced by the signature of the president.
- D. The Board of Directors shall constitute and be the Committee on Admissions and as such committee, shall hold one stated regular meeting in each month of election of members. Acceptance or rejection for admission of any applicant shall be determined by the majority vote of the entire membership of such committee. The committee shall sit with closed doors and none of the business transacted by the committee shall be revealed to any person on the penalty of censure or expulsion from the club of the person making such disclosure.

#### IV. BOARD OF TRUSTEES

A Board of Trustees shall be composed of five (5) members to be selected as set out hereafter. The Board shall act in an advisory capacity to the Board of Directors on the nature and the extent of the capital assets of the corporation. The Board shall also concern itself with long range planning of the capital assets of the corporation including, but not limited to, clubhouse facilities, swimming pools, tennis courts, and golf course; it shall present such plans and make such recommendations as it deems advisable for the expansion, renovation and maintenance of existing capital assets as well as plans and recommendations for future construction, acquisition, and sale of capital assets of said corporation.

The five (5) members of this board shall be elected from the past presidents of the said corporation by vote of the membership and announced at the annual membership meeting. The election shall be by ballot sent to all voting members no later than Jan. 1 of each year, which shall contain a list of all the past presidents with a box to the left of each name. The members shall have 10 days from the mailing by the club of the said ballots to return the said ballot to the club. The name receiving the most votes shall constitute the newest member of the Board of Trustees. The person elected shall serve a five-year term.

No member shall be eligible to serve a consecutive term on this board.

If any vacancy should occur during a member's term, the board of Directors shall, by majority vote, appoint one of the past presidents for the unexpired term.

V. MEETINGS

- A. There shall be one annual meeting for the entire membership of the club. The purpose of the annual meeting shall be to select members to the Board of Directors. The annual meeting shall be the first Wednesday in March, the time and place to be determined by the Board of Directors. All members of the club shall be notified of this meeting at least two weeks in advance. The notice shall contain the time and place of the meeting. Other special meetings of the membership shall be called by the Board of Directors.
- B. For the purpose of the annual meeting to elect membership to the Board of Directors, the president of the Club shall select a committee composed of five members, three of whom shall not be current members of the Board of Directors, which committee shall constitute a nominating committee. This committee shall meet and nominate candidates for the Board of Directors to be voted on at the annual meeting. However, nominations may also be made from the floor. A board candidate must hold a regular membership and be in good standing. A candidate may be a member of a member's spouse. The Board of Directors will meet in a special meeting immediately after the general meeting. They will elect officers, and the term of office shall begin immediately.
- C. Special meetings of the Board of Directors may be called at any time by the president or by any two board members of the club and shall also be called at any time upon the written request of twenty-five members.
- D. The Board of Directors shall meet regularly once a month, the time and place to be fixed by the Board of Directors with notice of the regularly scheduled Director's meeting to be given to the club members.
- E. Notice of each special meeting shall be given to each member of the Board of Directors with as much advance notice as possible to give each member of the Board of Directors reasonable notice of the time, place, and date of the special meeting to be held at the purpose of thereof.

VI. MEMBERSHIP

- A. Any person of good moral character may be elected a member of the club in the following manner: Each applicant for membership shall present an application in writing signed by the applicant, stating his or her name and address. The application shall be accompanied by letters from two sponsoring members, neither of whom shall

be members of the Board of Directors, introducing the applicant. The application shall then be posted for at least two weeks on the bulletin board at the club, and at the expiration of this time, the application shall be delivered to the Committee on Admissions, and the Committee shall act upon the same at their next stated meeting. The Board of Directors may require a reasonable application fee to accompany each application. Corporations or companies who hold more than one regular membership shall also be subject to the following rules in addition to those set forth herein. Each corporation must designate each membership to an individual who must be approved in the same manner as other regular memberships. The member will be responsible for all club bills incurred under that membership. If a member within this category resigns from the corporation or company or is re-assigned, it will be the responsibility of the corporation or company to maintain the membership in an active status.

- B. The membership shall be determined by the Board of Directors who shall place its limit on the number of members who shall belong to the organization. The Board of Directors shall also determine the amount of the initiation fee and monthly dues. The voting membership shall be made up of regular memberships and corporate memberships. Regular and corporate memberships shall have all rights and privileges of the club and use of all facilities of the club. The Board of Directors may also implement a social membership which will be a non-voting member. The rights and privileges of a social membership may be restricted by the Board of Directors to the use of only certain club facilities to be defined by the Board of Directors, e.g., restaurant and bar.

The Board of Directors may define the rights and privileges of the social membership from time to time. The Board of Directors shall also set and determine the amount of the initiation fee for a social membership and the monthly dues incident thereto.

The courtesies of the club and privileges of participating in all of its activities shall extend to the family of each member as designated by the Board of Directors and covered by membership cards or certificates issued by the president and secretary to each member. For the purpose of this section, the family shall be defined as spouse of the designated member, children or dependents of the designated member living in the same home and under the age of 21 years, children or dependents of the designated member enrolled as undergraduate college student under the age of 23, children or dependents of the designated member enrolled as a full time student in graduate school under the age of 27, and parents of either of the designated member or spouse of the designated member and who do not independently earn their own livelihood.

Any person under the age of thirty (30) may apply for membership with the Searcy Country Club. Any such membership shall be a "Junior Membership" unless the person making such application opts to apply for membership under a separate section. A Junior Membership shall be a non-voting member of the Searcy Country Club. The

initial fee will be that fee in effect at the time that the application is received by the Searcy Country Club. The schedule for the payment of the application fee shall be upon the following schedule: (a) twenty-five percent (25%) of the fee shall be received by the Searcy Country Club within thirty (30) days of approval of the admission as a Junior Member; (b) the balance shall be paid to the Searcy Country Club the earlier to occur of: (i) within thirty-six (36) months from the date of admission of the Junior Member; or (ii) upon the date upon which the Junior Member shall reach the age of thirty (30) years.

During the term of the payment of the admission fee as provided herein the dues assessed by the Searcy Country Club, and exclusive of any other cost, fee, expense or service charged to the Junior member, shall be reduced to fifty percent (50%) of the then current dues payment due to a Member of the Searcy Country Club.

Upon the payment of all sums due for admission or the Junior Member reaching the age of thirty (30), whichever is the first to occur, and provided that the Junior Member remains in good standing, the Junior Membership shall be converted to a regular member or social member, as the case may be, of the Searcy Country Club and all dues that may be assessed pursuant to such membership at the then-current rates.

A son or daughter of an existing member, in good standing with the Searcy Country Club, may apply under the same procedures set forth herein; provided, however, that the initial 25% payment shall be waived; provided, further, that the full amount of the admission fee shall be paid in full within the first to occur of (a) 36 months of the acceptance of the applicant as a Junior Member; or (b) the Junior Member reaching thirty (30) years of age.

An individual who is accepted for membership in this organization who desires to terminate their membership within one year of this time the membership began shall be entitled to receive one-half of the initiation fee to be returned by this organization. However, this provision shall not apply unless title person holding the membership shall move from the county at the time the membership is terminated.

- C. Any member in good standing may bring guests to the club as provided herein and shall be responsible for the conduct of any guest. A resident guest is defined as a person not a member of the club who lives in White County, Arkansas. A non-resident guest is defined as a person not a member of the club who lives outside the boundaries of White County, Arkansas. A resident guest can be invited to use the club golf course or tennis courts. The resident guest(s) must be accompanied by the member and must sign in at the pro shop. Resident guest(s) may be invited to use the golf course and tennis courts one time per calendar month. A member may bring resident guests to use the pool only according to the following policy.
1. The guest must be under 18 years of age.
  2. No more than 3 resident guests per member at any one time.
  3. A \$10 fee per guest per time will be assessed to the member's bill.
  4. All members and guests MUST sign in with lifeguard.

A single adult member holding a regular membership, however, shall have the right to invite a resident guest of the opposite sex to use the club swimming pool, golf course, or tennis courts or attend any club function.

A non-resident guest may be invited to use the club swimming pool, golf course, or tennis courts or attend any club function.

A designated hired babysitter may use the pool facilities even if he or she is a resident of White County, Arkansas and not a member of the club. A designated hired babysitter is a person hired to supervise a club member's child or children under the age of 12 in using the club swimming pool facilities only in place of the club member or other family member cannot supervise the children. If the hired babysitter is not a member of the club, the club member shall so designate and identify the hired babysitter to the pool lifeguard.

- D. Resignation of officers and members shall be in writing, and shall be delivered to the secretary of the club, but resignations of members and petitions for inactive status shall be referred to the Board of Directors for final action thereon and shall not take effect until all dues, assessments and penalties that were owed when the resignation was tendered shall have been paid.
- E. Upon the death of a member, the surviving spouse of the member may retain the membership in her or his own right or authorize the transfer of the membership to a member of the immediate family of the deceased member, i.e., son or daughter only. No dues shall be charged the deceased member's account for a period of six months from the date of the member's death, said six month period being for the purpose of assisting the surviving spouse in deciding whether to retain the membership in her or his own right or to authorize the membership transfer set forth above. The decision to retain or transfer the membership has to be made within the six-month period. In the event the membership is transferred, the immediate family member to whom it is assigned has to apply for a membership in the manner heretofore set forth although no initiation fee shall be required if the immediate family member is approved for membership. A membership transferred to an immediate family member under this provision cannot be subsequently transferred again.
- F. Monthly statements are prepared on the first of each month and are usually mailed within two to three days thereafter. Payment is due and must be received (not merely postmarked) by the 25<sup>th</sup> of the month. A 10% late charge will be added to all outstanding balances not paid by the 25<sup>th</sup>.

Thirty (30) days past due: Any member whose account becomes thirty (3) days past due will have his or her charging privileges suspended if payment is not received within fifteen (15) days. The fact of this delinquency will be posted at the club. In no event will

partial payment lift or excuse the suspension. A suspended member shall be required to pay monthly dues during the period of suspension.

Sixty (60) days past due: Any member who is more than sixty (60) days delinquent will have his or her membership privileges suspended and his or her membership will be revoked and forfeited if payment is not received within ten (10) days. Such forfeiture shall not prejudice or affect in any manner the right of the club management to collect such delinquent indebtedness.

Hearing following suspension: A member whose membership is suspended may request a review hearing to be held before the board of directors. The member's request for a hearing must be delivered to the club manager not more than fifteen (15) days following the date which the member received the notice of suspension. The review hearing will be conducted within fifteen (15) days from the date that the member's request for a hearing is delivered to the club manager. The member may attend the meeting in person. Following the hearing, the board will make a decision which shall be final and binding.

Ninety (90) days past due: Any member whose account becomes ninety (90) days past due will have his or her membership terminated and the account balance will be turned over to a collection agency.

- G. If a member changes membership classification, it cannot be changed again until the anniversary of the change.
- H. In the event that any member desires to become inactive that person must communicate his wish to the Board of Directors in writing. The Board shall at its next regular meeting vote upon the request and if the same is granted, it shall direct the secretary to place the member's name on the inactive roll, and the member shall not thereafter be liable for monthly dues. In no event shall any member remain inactive for a period in excess of three years. If a member shall become inactive and remain so for a period in excess of three years, that person's name shall be removed from the inactive roll and he or she shall no longer hold membership in the organization. During the three year inactive period, if that member shall desire to regain active status, he or she shall notify the Board of Directors in writing of his or her desire to become active; provided, however, the amount to be tendered shall not exceed a sum equal to twelve months dues plus any assessments.
- I. Upon the divorce of any member of the Searcy Country Club, the membership may be retained by the member or transferred to the former spouse of the member, either by agreement of the member and his or her former spouse or by order of the court approving the divorce. In the event the member or his or her former cannot agree upon who shall have the membership and the Court entering the divorce decree did not decide the issue and both the member or his or her former spouse desire to both

be members of the Searcy Country Club, an additional membership may be acquired. The nonmember former spouse shall apply for membership in the manner heretofore set forth with the initiation fee for the new membership to be paid one-half by member and one-half by the nonmember former spouse. The transfer or acquisition of a new membership shall be accomplished within three months from the date of divorce, and if neither the member nor former spouse desires to retain a membership, said membership is forfeited.

- J. The courtesies of utilization of the club facilities may be extended to members of other country clubs which reciprocate with the Searcy Country Club in allowing Searcy Country Club members to utilize the reciprocal club facilities and charge for use of the reciprocal facilities to the account of the Searcy Country Club member. Any reciprocal club member will have to be in possession of a card verifying membership in a country club which extends reciprocal charging privileges with the Searcy Country Club and may be charged fees for use of the club facilities as established by the Board of Directors. The reciprocal privileges granted by this paragraph shall not apply to any nonmember in county resident.
- K. Senior Membership – To be eligible, a member must be 70 years of age or older and must make a written request with proof of age to the Board of Directors. The membership will be effective the month following the request and once effective, the senior member's dues will remain at the then current rate with no further increases. This privilege applies only to dues and not any assessments, taxes or other charges.

VII. ORDER OF BUSINESS

- A. The order of business at meetings of the club shall be as follows:
  - 1. Reading of minutes.
  - 2. Reports
  - 3. Reports of Nominating Committee
  - 4. Unfinished business
  - 5. New business

VIII. NOMINATIONS AND ELECTIONS

- A. On or before the second Wednesday in January of each year the president shall appoint a committee of five active members of the club, not more than two of which may be an officer, to be known as the Nominating Committee.

It shall be the duty of the Nominating Committee to nominate one or more candidates for each director position to be filled at the next ensuing annual election, and the ticket so nominated shall be posted upon the bulletin board of the club for at least one month before the date set for the annual election. A board candidate must hold a regular membership and be in good standing. A candidate may be a member or a member's spouse.

The candidates receiving the greatest number of votes for the vacancies on the Board of Directors shall be declared elected. In case of a tie vote between two or more candidates for the office of Director, it shall be determined by lot which of them shall hold the office.

- B. The president shall, at least ten days before the said annual election, appoint three active members of the club, none of whom shall be an officer or nominee, to act as judges of the election and the names of judges so appointed shall be posted upon the bulletin board at least one week before the date set for the annual election. It shall be the duty of the judges to receive and canvas the votes cast at the said annual election and to certify the results to the secretary-treasurer.

#### IX. DISCIPLINE

- A. The Board of Directors shall take cognizance of any breaches of order or violation of the rules of the club. Should any differences arise between members, or acts of disorder occur within the club, or should any member be guilty there or elsewhere of conduct unbecoming a lady or gentleman, it shall be the duty of the Board of Directors to make inquiry into the same, and if it deems the offense sufficiently grave and sufficiently proven, it may fine or suspend the member so offending.
- B. Any member of the club, for repeated violations of any of the rules of Bylaws of the club, or for any misconduct deemed sufficient, may be expelled by a majority vote of the Board. An expelled member shall not be eligible for re-election to membership in the club. An expelled member cannot be invited as a guest by a member on an individual basis to utilize the club facilities, swimming pool, golf course, or tennis courts, nor shall an expelled member be allowed to be invited to any event held by the club which is otherwise open to the public.

#### X. SUSPENSION OF BY-LAWS

Any Bylaws may be suspended at any meeting of the Board by a majority vote of those present, either in person or by proxy, except such Bylaws as may relate to the amendment of the Bylaws. Such Bylaws shall not be subject to suspension.

#### XI. CERTIFICATE OF MEMBERSHIP

A certificate of membership or other evidence of membership shall be issued to each member of the club as approved by the Board and such certificates or evidence of membership shall entitle the holder to all the privileges of the club, subject to the provisions of the Articles of Incorporation, Bylaws, rules, and regulations of the club.

XII. COMMITTEES

- A. After the election in March of each year and prior to May 1, the newly elected president of the club shall appoint the following committees: Judiciary Committee; House Committee; Grounds Committee; Swimming Committee; Golf Committee; Tennis Committee; and Youth Committee.
1. The Judiciary Committee shall consist of three or more members. It shall be the duty of this committee to write all contracts, to look after taxes, to pass on the Bylaws and amendments of the same, and to furnish such legal advice as may be needed.
  2. The House Committee shall consist of three or more members, and shall have charge of the club house; the chairman of the committee shall work with the manager in making all purchases necessary for operation of the club and assist the manager in the employment of labor. The chairman of the committee shall be a member of the Board of Directors. The House Committee shall also have responsibility and be in charge of all entertainment given by the club as well as being in charge of the publicity for such entertainment through newspapers, radio, and the club bulletin.
  3. The Grounds Committee shall consist of a chairperson from the Board of Directors, the General Manager, Golf Professional and up to four other members. The committee should perform the functions and discharge the duties of the general management, maintenance, and operation of the golf course and club grounds. The committee shall assist the Golf Course Superintendent on matters pertaining to his responsibilities. All actions of the Grounds Committee shall be subject to the approval of the Board of Directors. The structure and function of the Grounds Committee are intended to insure the highest and best use of the golf course and club grounds for the benefit of the membership.
  4. The Swimming Committee shall be composed of three or more members and shall be responsible for establishing rules of conduct and use of the swimming pool and the area adjacent thereto.
  5. The Tennis Committee shall be composed of three or more members and shall be responsible for establishing rules of conduct and use of the tennis courts. This committee shall also be in charge of all tennis tournaments.
  6. The Golf Committee shall be responsible and be in charge of all golf tournaments.
  7. The Youth Committee shall consist of three or more members who will assist in the establishment of rules of conduct and use of the club facilities by youth groups and will administer the junior golf and tennis programs.

8. Any other committees deemed appropriate by the Board of Directors.

XIII. CLUB RENTAL

Effective March 22, 1995, the following rental fees will be charged for exclusive use of the Club dining rooms.

For members and charitable and school organizations there is no charge. For non-member groups, weddings, and other events there shall be a charge of \$300.00 for the ballroom or the front dining room, \$200 for the center dining room, \$100.00 for the bar, and \$50.00 for the board room.

Reservations must be made with enough time to allow board approval 60 days prior to any event where more than one dining room is requested. All reservations are made subject to board approval.