

BY-LAWS OF THE SEARCY COUNTRY CLUB

Searcy, Arkansas

Includes Board changes of 2007 and 2008

1.

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 By-Laws, 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 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 not a member of the committee 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, 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. The Board of Directors shall select a president within one week of the annual meeting. The Board of Directors and the officers elected ***shall be elected and begin their term at a special meeting immediately after the General Meeting.***
- 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 and 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 2 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 upon the bulletin board of 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. A single son or daughter of a regular member upon reaching the age of 21 may apply for a junior membership in the same manner and upon the same conditions as set forth for a regular membership. The dues for a junior membership shall be determined by the Board of Directors, and a person holding a junior membership shall be a nonvoting member. A junior membership shall cease when the individual holding the junior membership reaches the age of 25. The junior member provided the junior member is in good standing with the club may upon payment of the applicable initiation fee convert his or her junior membership into a regular or social membership anytime prior to the junior member reaching the age of 25, but shall be required to give written notice of the requested conversion no later than 60 days prior to the junior member reaching the age of 25.

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.

An individual who is accepted for membership in this organization who desires to terminate the membership within one year of the 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 the person holding the membership shall move from the county at the time the membership is terminated.

- C. Any member 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 cannot be invited to use the club golf course or tennis courts or to attend a function where the club furnishes food, beverages, or entertainment. ***A member may bring resident guests to use the pool only according to the following policy.***

- a. The guest must be under 18 years of age.***
- b. No more than 3 resident guests per member at any one time.***
- c. A \$10 fee per guest per time will be assessed to the member's bill***
- d. 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 when 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 form 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. A member's dues, membership fees, and accounts payable are due the twentieth day of the month of receipt of his dues and membership fee statement and shall be considered delinquent after that date. All accounts not paid by the twentieth day of the month of receipt, shall be assessed a late payment charge equal to 10% of the balance of such account. The Board of Directors shall review all delinquent accounts at its regular monthly meeting; in the event a member's account is still delinquent and continues to be so by the twentieth day of the month, the privileges of the delinquent member as a member of the club shall be suspended with notice being forwarded to such delinquent member. In the event the delinquency continues for a period of 40 days after the aforesaid due date, the delinquent member shall upon notice be expelled from the club membership and thereupon forfeit all rights as a member to the club.

G. 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 this 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 and tender to the Board at the time the request is made a sum of money equal to the dues the member would have paid had he or she remained active; provided, however, the amount to be tendered shall not exceed a sum equal to twelve months dues plus any assessments.

H. 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 spouse 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.

I. The courtesies of the club 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

- J. Senior Membership - Effective November 1, 1994, a senior membership is created. 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.
- a. Reading of minutes
 - b. Reports
 - c. Reports of Nominating Committee
 - d. Unfinished business
 - e. New business

VII. 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.

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 canvass 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 or By-Laws 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 By-Laws may be suspended at any meeting of the Board by a majority vote of those present, either in person or by proxy, except such By-Laws as may relate to the amendment of the By-Laws. Such By-Laws 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, By-Laws, 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.
- a. 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 by-laws and amendments of the same, and to furnish such legal advice as may be needed.
 - b. 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 having charge of the publicity for such entertainment through newspapers, radio, and the club bulletin.
 - c. The Grounds Committee shall consist of a chairperson from the Board of Directors, the General Manager, the Golf Professional and up to four other members. The committee shall 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.
 - d. 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.
 - e. The Tennis Committee shall be composed of three or more members and shall be responsible for the rules of conduct and use of the tennis courts. This committee shall also be in charge of all tennis tournaments.
 - f. The Golf Committee shall be responsible and be in charge of all golf tournaments.
 - g. 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.
 - h. Any other committees deemed appropriate by the Board of Directors.

Delete the last two (2) paragraphs.

XII. CLUB RENTAL

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

Paragraph deleted.

For members, 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, \$200.00 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.

**Italic and bold are amendments from 2007-2008.*