

GLENWOOD RECREATION CLUB, INC.  
 BY-LAWS  
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BY-LAWS OF THE  
GLENWOOD RECREATION CLUB, INC.

**ARTICLE I NAME**

The name of the Club, incorporated under the laws of the State of Maryland, shall be the Glenwood Recreation Club, Inc. (hereinafter the “Club”)

**ARTICLE II OBJECT**

The purpose of the Club is to provide, for its members, the use and enjoyment of a swimming pool and other recreational facilities, together with such incidentals as are appropriate in the conduct of such activities. To that end, the Club shall construct, own and operate such pool and facilities for the exclusive use of its members and their guests.

**ARTICLE III BOARD OF DIRECTORS**

**Section 1. Control**

The affairs, property, and management of the club shall be under the control of its Board of Directors.

**Section 2. Members**

The Board of Directors (also referred to herein as Board) shall consist of eleven (11) Senior Members (Article V, Section 2) of the Club, as follows: three (3) Directors who shall be elected officers (Article IV); and eight (8) additional Directors. Directors shall be elected by a majority vote for two year terms at the Annual Meeting of the Club, in such a manner that six (6) Directors are elected in even numbered years and five (5) Directors are elected in odd numbered years. The newly elected Directors shall take office immediately upon election. All members of the Board of Directors shall serve without compensation.

**Section 3. Non-Voting Members**

At the direction and request of the Board of Directors, one representative each from the Swim and Dive team management representatives, chosen by the Swim and Dive Teams, respectively, shall attend and participate in Board meetings but shall have no voting capacity.

The Membership Director shall attend and participate in Board meetings but shall have no voting capacity.

**Section 4. Vacancy**

Any vacancy occurring on the Board of Directors, during a respective elected term, shall be filled by majority vote of the remaining members of the Board of Directors until the next annual meeting, at which meeting a Director shall be elected to fill the remainder, if any, of the vacant term.

## **Section 5. Quorum**

Six (6) voting members of the Board of Directors, of whom two (2) must be officers, shall constitute a quorum of the Board of Directors at all meetings thereof.

## **Section 6. Active Membership**

Any member of the Board of Directors who shall cease to hold active membership in the Club automatically shall cease to be a Director.

## **Section 7. Duties**

Consistent with these By-laws, the Board of Directors shall:

- (a) Transact all Club business; make and amend rules for the regulation and use of Club property; appoint and remove such clerks, agents, servants, or employees as it may deem necessary; and fix their duties and compensations;
- (b) Admit applicants to membership;
- (c) Fix the terms and conditions upon which guests of members may use the facilities of the Club;
- (d) Fix, impose and remit penalties for violations of these By-laws and Rules of the Club;
- (e) If necessary, create the offices of assistant secretary and assistant treasurer and appoint one or more members of the Club, to such offices;
- (f) Constitute, appoint and define the powers and duties of any necessary committees;
- (g) Designate the bank accounts in which the funds of the Club shall be deposited and determine the manner in which instruments for the payment of funds of the Club shall be executed; except that all such instruments in excess of two thousand (\$2,000.00) dollars shall be signed by the Treasurer and countersigned by one other elected officer;
- (h) Cause the books of the Club to be audited by a certified public accountant who is not a member of the pool every five (5) years;
- (i) Fix the amount and character of, and approve surety bonds for any person handling or having custody of funds of the Club;
- (j) Fix the amount, if any, of any special fees or assessments deemed necessary for the satisfactory operation of the Club;
- (k) Inform all Members and other users of the facilities of official Board-promulgated rules and regulations and post such rules and regulations in a conspicuous place at the Club;

(l) If necessary, appoint a general counsel, who shall advise on matters of legal import concerning the Club; and

(m) Appoint a Membership Director, who shall serve at the discretion of the Board of Directors.

### **Section 8. Meetings**

(a) In each Year, the Board of Directors shall hold its first meeting prior to the Annual Meeting of the Club, and other meetings at the call of the President at such times as may be deemed necessary.

(b) The Board of Directors may, by resolution, establish a schedule of its meetings and rules for the conduct thereof, and may also, by resolution, establish and publish rules for the conduct of the Annual Meeting of the membership of the Club, such rules in both cases to be consistent with Robert's Rules of Order.

(c) A meeting of the Board of Directors shall be called by the Secretary upon the request of six (6) members of the Board of Directors.

(d) Notice of a meeting of the Board of Directors shall be given to each member of the Board of Directors at least seven (7) days before the date of the meeting.

### **Section 9. Removal**

Any Member of the Board of Directors may be removed from office by two-thirds (2/3) majority of the votes cast by those family units present in person at either an Annual Meeting of the membership of the Club or a Special Meeting of the membership of the Club called in accordance with these By-laws.

### **Section 10. Electronic Voting Between Meetings.**

If the President or six (6) members of the Board of Directors determine that an issue requires Board of Directors consideration in advance of the next regularly scheduled Board of Directors meeting, and is appropriate to be acted upon by the Board of Directors without calling a meeting pursuant to Section 8., then upon motion made by the President or six (6) members of the Board of Directors and seconded by another member of the Board of Directors, which motion and second are communicated electronically to all of members of the Board of Directors (the "Board Notice"), a vote can be taken by the Board of Directors on such motion. Each Director shall have seventy-two (72) hours from the time of the Board Notice to cast his or her vote. A vote cast by any six (6) members of the Board of Directors shall constitute a quorum for purposes of such motion, and such motion shall pass only upon favorable vote made by a majority of those who cast their votes. The Secretary shall tally the votes and communicate the tally to the Directors electronically, and shall include the Board Notice and the tally in the Minutes for the next regularly scheduled Board of Directors meeting.

## **ARTICLE IV OFFICERS**

### **Section 1. Elections**

The officers of the Club shall consist of a President, a Vice President, and a Treasurer, each of whom shall be elected as necessary at Annual Meetings of the membership of the Club, and who shall serve a term of two (2) years and shall hold office until the end of the second (2nd) annual meeting following his or her election. In addition, the President shall appoint a member of the Board of Directors to serve as Secretary of the Club, and, if deemed necessary by the Board of Directors, shall appoint an Assistant Secretary and/or Assistant Treasurer who do not need to be members of the Board of Directors.

### **Section 2. Duties of the President**

The President shall preside at the meetings of the Club and of the Board of Directors. The President shall be the administrative officer of the Club, and shall appoint, subject to confirmation by the Board of Directors, all such committees as may be needed, designating the chairman thereof. The President shall be ex-officio a member of all committees. Upon relinquishment of the office, the President, as outgoing President, shall become an ex-officio member of the Board of Directors without vote and shall serve in that capacity until the close of the next Annual Meeting of the Club subject to the provisions of Sections 5 and 8 of Article III of these By-laws. The President shall have the power to: sign and execute all contracts and instruments of conveyance in the name of the Club; appoint and discharge agents and employees of the Club, subject to the approval of the Board of Directors; manage the business of the Club; and perform all duties usually incident to the office of the President. The President shall execute all mandates of the Board of Directors.

### **Section 3. Duties of the Vice-President**

The Vice President shall perform such duties as may be delegated to him by the President and, in the absence or disability of the President, shall act for the President.

### **Section 4. Duties of the Treasurer**

The Treasurer shall be responsible for keeping the accounts of the Club, collecting the revenues, and paying the bills as approved by the Board of Directors or other agency authorized by the Board of Directors to incur them. The Treasurer shall deposit the funds of the Club which are received in the name of the Club, in the depository authorized by the Board of Directors. The Treasurer shall render an annual report at the Annual Meeting of the Club and perform such other duties pertaining to the office as may be asked of him or her by the Board of Directors. The Treasurer shall be bonded at the expense of the Club.

### **Section 5. Duties of the Secretary**

The Secretary shall send out notices of the meetings of the Club and of the Board of Directors, keep the minutes and attend to the correspondence pertaining to the office. The Secretary shall perform such other duties pertaining to the office as may be asked of him or her by the Board of Directors.

### **Section 6. Duties of the Assistants**

The assistant secretary and the assistant treasurer shall perform such duties as may be assigned them by the Secretary and Treasurer, respectively, or by the Board of Directors. The assistant treasurer, if any, shall be bonded at the expense of the Club.

## **ARTICLE V MEMBERS**

### **Section 1. Application**

Application for Club membership shall be sent to the Membership Director on forms provided by the Club and shall be accompanied by the membership fee. Once Membership is conferred by approval of the application by the Membership Director, the current dues shall be paid within 30 days of such approval.

### **Section 2. Classes of Membership**

(a) Active membership in the Club shall consist of family units residing in the same household, within which there shall be the following classes of members:

(1). Senior Member - The term 'Member' when used in these By-laws shall refer to this classification unless otherwise specified. The Senior Member shall initially be the member of the household unit submitting and signing the membership application, and may be changed by a written request from the Senior Member to the Membership Director. There shall be one Senior Member per family unit,

(2). Junior Member: a dependent minor child of a Senior Member, or full time minor member of the Senior Member's family unit.

(3) Associate Member: any other adult who: is a bona fide member of a Senior Member's family unit, including a child of whatever age, and the spouse or domestic partner of said child; or is a bona fide child care provider of Junior Members, but only if such person is approved for associate membership by the Membership Director upon application. The status of an associate member shall continue for the duration of the membership of the family unit unless the Board of Directors shall grant such status for a limited period or shall terminate it for cause. When a Senior Member of a family unit that already belongs to the Club shall request associate membership for a prospective associate member after the official opening date of the pool for the year, the Membership Director shall have ten (10) days in which to act upon the request and the person for whom the request for associate membership has been made shall not be entitled to the privileges of membership until the Senior Member making the request has been notified in writing that the request has been granted.

### **Section 3. Inactive Members**

(a) The Board of Directors may provide for inactive membership of family units in cases where such action appears to be in the best interest of the Club.

(b) Inactive members shall not be entitled to any of the rights or privileges of active membership in the Club.

(c) The Board of Directors may excuse inactive members from the payment of all, or such part as it may determine, of the dues applicable to any year in which they are inactive during the entire period of the operation of the facilities of the Club.

(d) Active memberships can be transferred to inactive status by the Membership Director, subject to the following conditions:

(1) Application for a transfer shall be made in writing by the Senior Member prior to May 1 of each calendar year;

(2) At the time of providing for transfer to inactive status, the Board of Directors may prescribe the terms and conditions upon which such transfer shall be made; and

(3) At no time shall transfer to inactive status be granted unless an applicant for admission to the Club is available for admission to active membership.

(e) Transfer from active to inactive status as prescribed in subsection (d) above shall not be considered termination of membership for the purpose of bond redemption or membership fee refunding.

(f) The Board of Directors may limit the duration that a Membership can remain inactive, which generally will not exceed three consecutive years.

(g) Inactive members may be transferred to active status by the Membership Director as follows:

(1) Such transfer shall conform to the provisions of Section 7 of this Article; and

(2) Any such transfer granted in conformity with paragraph (1) above shall become effective upon payment of all dues outstanding.

#### **Section 4. Withdrawal**

Any Member may withdraw from the Club at any time by sending a letter informing the Membership Director of such withdrawal. Upon such withdrawal, any Junior and Associate members associated with such Member shall also be considered withdrawn from the Club. The Board of Directors may prescribe the terms and conditions upon which any withdrawal, whether in writing or by any other means, shall be made, including but not limited to determining a date by which the non-payment of annual dues shall cause a withdrawal from the Club.



## **Section 5: Suspension**

(a) Any member of any class may, for violation of these by-laws or the rules of the Club,, be suspended for a period not exceeding three (3) months, but only after the following:

(i) such member shall be given an opportunity for a hearing in front of the Board of Directors; and

(ii) such suspension must be affirmatively voted by a two-thirds (2/3) vote of the members of the Board of Directors present at the Board meeting where such suspension is voted upon;

(b) Any member of any class may, for violation of these by-laws or the rules of the Club, be expelled but only after the following:

(i) such member shall be given an opportunity for a hearing in front of the Board of Directors; and

(ii) such expulsion shall be affirmatively voted by a two-thirds (2/3) vote of the entire membership of the Board of Directors.

(c) The Board of Directors has, and may delegate to a responsible employee of the Club, the power to suspend any member for violation of Club Rules and Regulations without hearing for a period not exceeding seven (7) days provided that the suspended member, or, if the suspended member be a junior member, a senior member acting for him or her shall have the right of appeal to the Board of Directors.

## **Section 6. Privileges**

(a) All active members of the Club of all classes shall be accorded use of the facilities of the Club subject to the Club's posted rules and regulations.

(b) The Club shall be reimbursed for any property of the Club broken or damaged by a member or guest. No person shall take any property belonging to the Club.

(c) The Club assumes no responsibility and members of any class or their guests can have no claim against the Club for their property their guests' property, which may be brought into or left in the Club buildings or on the grounds.

(d) Members who sponsor guests to the Club shall be responsible for the actions of their guests and may be subject to discipline for the infractions committed by their guests.

## **Section 7. Number of Members**

The number of family units in the Club shall be established at 525, but at the discretion of the Board of Directors, this number may be increased not to exceed 550. The total number of family units, whether active or inactive, shall not exceed 550, and members shall be admitted to active membership in such a manner that the number having active membership shall not be

increased, except temporarily, above 525 or such greater number as may be fixed by the Board of Directors as provided in the first sentence of this section.

## **ARTICLE VI FISCAL AFFAIRS**

### **Section 1. Fiscal Year**

The fiscal year of this Club shall begin November 1 and end October 31.

### **Section 2. Annual Budget**

(a) The treasurer shall prepare and present to the Board for approval, an annual budget setting forth anticipated revenue and proposed expenditures for the fiscal year, not later than the first day of February each year.

(b) The annual budget shall be subdivided into an Operational Cost Section and a Capital Improvement Cost Section.

(c) The annual budget shall be presented to the members at the Annual Meeting of the membership of the Club. If the annual dues proposed in the submitted budget shall be in excess of the amount shown in Section 3(a) of this Article, the Board of Directors shall present the budget to the members for consideration. If, however, the annual dues proposed in the submitted budget is not in excess of the amount shown in Section 3(a) of this Article, the budget shall stand approved unless, within twenty (20) days after the presentation of the budget, the Board of Directors receives a written requests for a special meeting to consider the budget from twenty (20) or more Senior Members from separate family units. In such case, the Board of Directors shall call a special meeting subject to the provisions of Article VII, Section 2, of these By-laws.

### **Section 3. Annual Dues**

(a) The annual dues shall be sufficient to provide for the necessary operating expenditures for the year, but in no case shall the Board of Directors be authorized to increase the dues by more than ten percent (10%) of the preceding year's annual dues per family unit in any one year without a vote of approval at the Annual Meeting of members. This section shall not be construed as a limitation on the Board of Directors in establishing an appropriate schedule of dues applicable to family units permitted seasonal membership.

(b) With the proposed budget, the Board of Directors shall submit to the membership a statement of the amount of the annual dues which it deems necessary to meet the anticipated expenditures as contained in the proposed budget together with the amount to be levied upon each member within the limits set forth in paragraph (a) above. The said dues shall stand approved in the same manner and under the same conditions as provided for the approval of the budget in Section 2, subsection (c), of this Article.

(c) In the event State or Federal taxes are assessed, the aforementioned dues shall be increased to cover any such tax or assessment.

(d) No dues, nor any part thereof, shall be refunded to the members of any household that resigns its membership at any time.

(e) Unless otherwise determined by the Board of Directors, no dues, nor any part thereof, shall be refunded if it is necessary to suspend the operation of the pool for any portion or portions of the period of pool operations for any reason whatsoever.

(f) The annual dues shall be payable by May 1 of each year. A penalty, in an amount determined by the Board of Directors, will be assessed to any member unit who has not paid annual dues by May 15.

#### **Section 4. Membership Fees**

(a) With respect to membership fees for which a bond was issued (i.e. membership fees paid prior to September 1, 2002, such membership fee bonds shall be:

- (i) non-transferable and non-interest bearing; and
- (ii) refundable, at the option of the Member, upon the withdrawal of the member, at their then current face value, in the chronological order in which memberships terminate.

(b) With respect to membership fees for which no bond was issued, no refund of any such membership fees shall be made at any time.

#### **Section 6. Dissolution of the Club**

In the event of the dissolution of the Club in any manner or for any cause, upon the effective date of such dissolution, membership fees for which a bond was issued shall be a lien upon the proceeds of the sale of the property of the Club after the payment of all its debts and obligations, subject to setoff of all dues due from the member holding the bond. If there is an excess of funds remaining after any remaining membership fee bonds have been fully refunded, such funds shall be donated by the Board of Directors to a recognized Internal Revenue Code Section 501(c)(3) charitable organization.

#### **Section 7. Liability of Member**

The Senior Member of each family unit shall be responsible for the payment of all charges or liabilities that may be imposed under these By-laws upon any member of any class within the family unit.

#### **Section 8. Taxes**

All fees and other charges mentioned herein are exclusive of taxes imposed by the Federal, State, and other Governmental bodies and agencies.

#### **Section 9. Delinquency**

Any member failing to pay dues or indebtedness before the 10th day of the month, following that in which a statement of the member's indebtedness shall have been sent to said member by the Treasurer, shall be notified that, if the indebtedness is not paid within fifteen (15) days thereafter, the delinquent member may be suspended by the Board of Directors. Any member thus suspended shall immediately be notified in writing by the Secretary of the suspension, and, if the indebtedness is not paid within fifteen (15) days after the sending of such notice of suspension, the member shall be deemed to have withdrawn from membership in the Club and shall cease to be a member of the Club. The Board of Directors, at their discretion, may reinstate any member upon request and repayment of all indebtedness to the Club.

## **ARTICLE VII CLUB MEETINGS**

### **Section 1. Annual Meeting**

(a) The annual meeting of the Club shall be held no later than March 31 of each year, at such place and time as the Board of Directors may determine.

(b) The annual meeting shall be for the purpose of electing officers and other members of the Board of Directors, presenting committee reports, and for the transaction of such other business as may be indicated in the notice or which may be brought before the meeting.

### **Section 2. Special Meetings**

The Board of Directors may call special meetings of the membership of the Club. Also, upon the written request of twenty (20) Senior Members to the Secretary stating the purpose therefor, the Secretary shall call a special meeting within thirty (30) days of receipt of such notice.

### **Section 3. Notice of Meetings**

(a) Written notice of the annual meeting shall be sent to the members at least seven (7) days prior thereto in a manner prescribed by the Board. The notice of the annual meeting shall include the names of candidates for membership on the Board of Directors and officers of the Club.

(b) Special meetings of the membership of the Club may be held on seven (7) days notice by a manner prescribed by the Board to all family units. The notice shall state the purposes for which the special meeting is called and no other business shall be transacted at that special meeting.

### **Section 4. Voting**

(a) Each Member shall be entitled to one vote and only one vote on any matter under consideration at a meeting of the membership of the Club.

(b) At any meeting of the membership of the Club, any Member not represented by its Senior Member present in person may be represented by proxy provided: (1) the holder of the proxy of the Senior Member be a member of the Senior Member's family unit who is over the age of eighteen (18), in which case no written signature of the Senior Member, or other documentation shall be required; or 2) that the holder of the proxy be: i) a Senior Member in good standing; ii) that the proxy shall be executed in writing, designate the holder of the proxy, and be signed by the Senior Member giving the proxy; and iii) that the signature of the Senior Member giving the proxy shall be verified by the presiding officer of the meeting or by some person authorized by him or her to do so.

### **Section 5. Quorum**

Ten percent (10%) of the family units, represented by Senior Members present in person or represented by proxy, shall constitute a quorum for the transaction of business at any meeting of the membership of the Club. If less than a quorum is in attendance for any meeting which has been called, such meeting may, after the lapse of at least one-half (1/2) hour, be adjourned to a subsequent date by a majority of the family units present. If such meeting is adjourned, a notice in accordance with Section 3 of this Article shall be sent to Members, containing: (1) a statement of the purpose of the meeting; (2) a statement that the previous meeting was adjourned for lack of a quorum; and (3) a statement that the number of family units present at the later meeting shall constitute a quorum.

### **Section 6. Elections**

Except as otherwise provided in these By-laws, the election of all officers and members of the Board of Directors and the adoption of all motions by meetings of the membership of the Club shall be by a majority of the votes cast by those family units present in person or represented by proxy.

### **Section 7. Format**

In all matters not covered by these By-laws, meetings of the membership of the Club shall be governed by Robert's Rules of Order.

## **ARTICLE VIII ELECTIONS**

### **Section 1. Nominations**

(a) The Board of Directors may nominate candidates for the offices of the Club and the vacancies in the Board of Directors to be filled at the next annual meeting.

(b) Nominations may also be made from the floor.

## **Section 2. Ballot**

In the event that the number of candidates standing for election is equal to the number of available positions then the election of all officers and of all directors may be by show of hands of the members in attendance at the annual meeting. In the event that there are more candidates standing for election than there are available positions at any meeting of the membership of the Club, the elections of all officers and of all non-officer members of the Board of Directors at such meeting shall be by secret ballot. If no candidate receives a majority of the votes cast, the two candidates who receive the highest number of votes shall be voted upon, and the one of them who thereupon receives a majority shall be declared elected.

## **ARTICLE IX MISCELLANEOUS**

### **Section 1. Indemnification**

(a) Each person who acts as a member of the Board of Directors or officer of the Club shall be indemnified by the Club against expenses actually and necessarily incurred by him or her in connection with the defense of any action, suit or proceeding in which he or she is made a party by reason of being or having been a member of the Board of Directors or Officer of the Club, except in relation to matters as to which he or she is found, in such action, suit or proceeding, to be liable for gross negligence or willful misconduct in the performance of his or her duties.

(b) The right or indemnification provided herein shall inure to each member of the Board of Directors and officer referred to in (a), whether or not he or she is a Director or Officer at the time such costs or expenses are imposed or incurred, and in the event of his or her death shall extend to his or her successors, heirs, assigns and legal representatives.

### **Section 2. Interpretation of the Bylaws**

Any question as to the meaning or proper interpretation of any of the provisions of these By-laws shall be determined by the Board of Directors.

### **Section 3. Age**

Whenever mention is made herein to ages of members, it shall be the age attained as of January 1<sup>st</sup> of the current year.

### **Section 4. Amendments**

These bylaws may be amended by a two-thirds (2/3) majority of the votes cast by the family units present in person or represented by proxy at any meeting of the membership of the Club, provided that at least seven (7) days prior to such meeting the text of any proposed amendments is made available to the membership of the Club.

### **Section 5. Swim and Dive Teams**

The Glenwood Tigers Swim and Dive teams operate under the auspices of the Board of Directors, with the Board of Directors granting authority to the team's representatives to operate the teams. The assets and records of both teams are the property of the Club. All papers and

obligations of the teams must be executed in the same manner as other papers and obligations of the Club, including checks, except that any check in an amount less than \$2,000 may be signed by the respective swim and dive team representative and shall not require further authorization.

At the direction of the Board of Directors, one representative each, from the Swim and Dive teams shall act as a non-voting member Board of Directors in an advisory capacity. See Article 3, Section 3.