

# *The Brunswick Area (Southwest) County Recreation Council*

## **Constitution**

Revised 6/99

### **Article I - Name**

*Section 1.* The name of this organization shall be the Southwest County Recreation Council, hereafter referred to as "SWCRC".

*Section 2.* The SWCRC shall be and hereby is affiliated with the Frederick County Bureau of Parks and recreation in accordance with the laws and agreements governing public recreation in Frederick County and the State of Maryland and is subject to those laws and agreements, in-so-far as they affect and prescribe the functions of the local organization.

### **Article II - Purpose**

*Section 1.* The purpose of the SWCRC shall be to develop a well-rounded recreation program opportunity for the people of the community; to effect proper coordination of all agencies and organizations in the community interested in recreation; to help finance, publicize, and evaluate year-round programs of recreation for all age groups; to exercise all the powers conferred upon the Council by the Frederick County Government or any agency thereof.

*Section 2.* No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

*Section 3.* Notwithstanding any other provision of these articles, this organization shall not carry on any activity which is not permitted to be carried on by an organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.

### **Article III - Membership**

Membership of the SWCRC will be open to any individual residing within Frederick County, eighteen (18) years or older, who supports the objectives, rules, and regulations of the organization.

### **Article IV - Officers**

*Section 1.* The officers of the Council shall consist of at least a President or Chairman, Vice President or Vice Chairman, Secretary, and Treasurer. These officers will form the Executive Body, the Board of Directors.

*Section 2.* The officers of the Council will be elected from its membership by a majority vote of the Council members present at the Annual Meeting. A Nominating Committee will be appointed at least two months prior to the Annual Meeting, nominations will be taken at least one month prior to the Annual Meeting.

*Section 3.* The term of office for officers shall be at least one year. If no nominations are available at the time of elections to fill an office, an officer may be appointed by the Executive Body until a nomination becomes available. This appointment is subject to the Appointee's acceptance.

*Section 4.* The duties of the Council officers will be as follows:

President or Chairman: Conduct all meetings of the members, have general supervision of the affairs of the Council to preserve the order and enforce the by-laws of the association. He or she shall sign or counter-sign all certificates, contracts, and other instruments of the council as directed by the Executive Body and approved by the County. He or she shall perform all other duties as are incident to his or her office, or are required of him or her by the council to include appointing chairpersons for all committees, and voting in the event of a tie.

Vice President or Chair: Assist the President and assume the President's duties in his or her absence. If a vacancy in the Presidency occurs during the normal term of office, the Vice President shall assume the duties of that position until the vacancy is filled by Executive appointment. The Vice-President shall have responsibility for all council registrations.

Treasurer: The Treasurer shall keep regular books of all Council monies and also be charged with the responsibility of maintaining a bank account in the name of the Council. The Treasurer shall disburse Council funds in payment of the just demands against the Council, or as may be ordered by the Council's Executive body, taking proper vouchers for such disbursements. The Treasurer shall sign all checks issued by the Council, and see that such checks are signed by the President. The Council Treasurer will submit monthly and year-end financial records to the Bureau of Parks and Recreation.

Secretary: The Secretary shall issue notice of all meetings. He or she is responsible for taking all meeting minutes and maintaining a permanent record of them. The Secretary shall issue a copy of meeting minutes to the Bureau of Parks and Recreation for each Council meeting. The Secretary shall be responsible for all council correspondence and other duties as required

by the council. Keeping attendance records and time records of each meeting also.

*Section 5.* In the event an officer fails to perform that officer's duties or is absent under one of the following conditions:

A) without notice for 2 consecutive meetings; or

B) with notice for 4 consecutive meetings;

that office shall be deemed vacated unless an exception is made by the Executive Body. Any vacated office, whether by the above means or by resignation, shall be filled by Executive appointment until the next regularly scheduled Annual Meeting. Any person who has been appointed to a vacated office is eligible to serve the term of office if elected into it following the appointed term.

## **Article VI - Meetings**

*Section 1.* Regular Meetings of the Council shall be held as specified by the Executive Body; a notice of such meetings shall be published via newsletter, press release, public announcements, fliers, or any combination thereof, at least two weeks in advance of said meetings.

*Section 2.* Special meetings may be called by the President or twenty-five percent of the membership provided 10 days written notice is given to Council members; that notice will include the purpose of the special meeting.

*Section 3.* The Executive Body is to oversee the day to day operations of the Council and to settle any disputes within the Council. The Executive Body will meet according to stipulations in the By-Laws.

*Section 4.* The business transacted at a regular meeting of the Council shall follow the order established by Robert's Rules of Order, Current Version. Meetings shall follow the agenda specified: 1. Call to order; 2. Reading of the minutes of the last meeting; 3. Reading of the Treasury Financial Report; 4. Committee reports; 5. Old business; 6. New business; 7. Motion for adjournment.

## **Article VII - Standing Committees**

Standing committees shall be formed as necessary at the direction of the Executive Body, to address affairs not specified in this constitution.

## **Article VIII - Finances**

*Section 1.* The Council will collect fees as follows: Registration fees (financial hardships will be discretely considered on a case by case basis;) fund-raising, and donations.

*Section 2.* The Council monies shall be deposited in the name of the Council in such bank or banks as the Executive Body shall designate.

*Section 3.* The fiscal year of the Council shall begin on the first day of July each year.

## **Article IX - Amendments**

The Constitution and By-Laws may be amended at any meeting specified by the Council. It may be amended by 2/3 vote of the delegates to the Council present at said meeting. Written notice of the amendment shall have been present to all Council members not less than 15 days prior to the said meeting. All amendments must be

presented to the Bureau of Parks and Recreation prior to presentation to the Council.

**Article X - Dissolution**

*Section 1.* If the Council decides to become inactive by not electing or appointing Officers to fill vacancies and remains inactive, all monies in the bank or otherwise due the Council will revert to the Frederick County Bureau of Parks and Recreation to be spent as it sees fit according to sections 2 and 3 below. If the Council’s Executive Committee has folded, this decision will be the last individual to hold the office of President.

*Section 2.* Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal tax code, or shall be distributed to the Federal, state, or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction, in the county in which the principal office of the organization is then located, exclusively for such purposes.

*Section 3.* In the event of dissolution of the corporation, the residual assets of the corporation will be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal tax code. Provided, however, that the corporation shall at all times so long as a mortgage on the corporation’s property is held or insured by the Secretary of Housing and Urban Development have the power to convey its property to the Secretary of Housing and Urban Development or his nominee, for exclusively public purposes.

**Constitution Signatures:**

President \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Vice-President \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Secretary \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Treasurer \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

County Representative \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

# *The Southwest County Recreation Council*

## **By-Laws**

### **Article I - Sites of Principle Operation**

The principle operations for this Council will include, but not be limited to, the present Brunswick and Valley Elementary School Districts of Frederick County, Maryland with courtesy boundary with the Point of Rocks Recreation Council at Lander Road. The council is recognized by the Frederick County Board of County Commissioners as a voluntary arm of the Frederick County Bureau of Parks and Recreation and will operate according to the advice of the Bureau.

### **Article II - Officers**

- Section 1.* The governing body of the Council shall consist of a President, Vice President, Secretary, and Treasurer.
- Section 2.* The Board of Directors shall be elected from its membership by a majority vote of the Council members present at the December annual membership meeting of each calendar year. A Nominating Committee will be appointed at the October meeting, nominations will be taken at the November meeting. These officers will take office Jan 1st.
- Section 3.* The term of office will be for one year. Officers may serve consecutive terms.

### **Article III - Meetings**

- Section 1.* A regular meeting of this Council shall be held monthly unless otherwise specified by the President of the Board.
- Section 2.* The regular meeting held in December shall be the Annual Meeting.
- Section 3.* A quorum for Council meeting shall consist of the members of the Council present at a duly called meeting of the Council with at least two officers present.

### **Article IV - Membership**

- Section 1.* Voting members are individuals described in the Constitution, in good standing, having attended at least two previous consecutive meetings in the past year.
- Section 2.* Each member of the Council in good standing shall be entitled to one vote.

### **By-Law Signatures:**

President \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Vice-President \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Secretary \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Treasurer \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

County Representative \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_