

**CREWE-BURKEVILLE YOUTH RECREATION ASSOCIATION  
BY-LAWS**

Edited and re-Adopted January 3, 2011

The **mission** of this Association will be to direct and administer youth athletic programs as needed, and to administer the financial needs of the programs. The Association will have the responsibility to instill in all participants a spirit of fair play, sportsmanship, and competitiveness with a desire for improving and cultivating their physical and moral capabilities.

**Article I**

**Membership**

1. There will be three voting membership classifications for electing a Board of Directors:
  - A. Participating member - Any person, parent or legal guardian, whose child is participating in a program and who has paid the required registration fee.
  - B. Associate member - Any interested person who is sanctioned by the Board of Directors of the Association and who pays the \$5.00 registration fee. This fee may be waived for those serving on the board or one of its committees.
  - C. Sponsor - Any team sponsor will be entitled to a membership for one person.
2. Nothing contained herein shall be considered to grant more than one vote to any individual person and no more than one vote between parents or legal guardians who have a child or children participating in any program. In cases of split parent households, the registration form will be used to determine eligibility.

**Article II**

**Nominations, Elections, and Term of Office of the Board of Directors and Officers**

1. The Board of Directors for the CBYRA shall consist of an Executive Committee consisting of the President, First Vice-President, Second Vice-President, Secretary, and Treasurer with seven (7) additional board members. Additionally, the Commissioners of each sport (3), will join the board for a total of 15 positions. Each of these positions is a full voting member of the Board of Directors. The CBYRA will make every attempt for fair representation for the community demographics, individual sport representation and sponsors provided there is abundant interest in serving on the Board.
2. Elections for the executive positions will take place according to the following:

A. At least three months prior to the annual meeting of the membership of the CBYRA, the President shall appoint a nominating committee consisting of three members, to be appointed from the membership. The nominating committee shall be charged with presenting a slate of candidates for board election and who may be eligible for an executive position. The Nominating committee will provide up to two names for those suggested for executive committee positions and board positions. All board members terms will be for a maximum of two (2) years with executive positions being elected among newly annually elected board members prior to close of the annual meeting. The nominating committee will announce slate not less than two (2) weeks prior to annual meeting.

Additionally, any member may nominate themselves by notifying the President in writing at least fourteen days prior to the annual meeting to any member of the nominating committee or President. Subsequently, the President must notify all nominees for any position of the candidate slate. At this meeting, no nominations from the floor will be accepted unless no candidates have been previously identified for the specified office. Any nominee from the floor must be present at this election meeting. Terms of office shall coincide with the Association fiscal year beginning January 1.

B. Elections shall be done by secret ballot with at least 2/3 of the Board of Directors present. In addition, any member in good standing who meets the criteria listed in the membership section above may also vote. No absentee ballots shall be accepted. If only one candidate is up for election for a seat on the Board of Directors the Secretary shall cast the unanimous vote. A member of the nominating committee may hold election for the office of president immediately following newly seated board members. Once the president has been elected from the pool of 12, he or she shall assume control conducting the remainder of executive positions.

C. The Annual Meeting and election of Officers shall be advertised locally at least one month prior to the Annual Meeting to encourage participation from the membership.

3. Each member sport commissioner will be elected by the board at the annual meeting. The sport committees may utilize the nominating committee or nominate within their respective ranks.. Each sport must notify the Board of Directors of their selections/nominations two weeks prior Board of Directors' meeting on the first Monday in November.

4. Should a vacancy occur on the Board of Directors or in any office during the year, it shall be the duty of the Board of Directors to fill the vacancy at the next monthly Board of Directors meeting. **Any office vacated during the year shall be subject to an election at the end of the year regardless of the length of the remaining term.**

5. The election of officers to fill a vacancy shall be by ballot, a majority vote of the Board of Directors voting being necessary for election, no absentee ballots being allowed. Should there be only one candidate for any office the Secretary shall be instructed to cast the unanimous ballot.

6. The Officers shall be elected for a term of two years and each Officer shall serve until election of his/her successor in office, unless such Officer be removed from office or resign effective forthwith. The President and Secretary will be elected in odd number years. The First Vice-

President and Treasurer will be elected in even years. The Softball commissioner and Second Vice-President will be elected in even years. The Baseball and Soccer commissioners will be elected in odd years. The officers shall be elected from the pool of the 12 non-commissioner board representatives. For purposes of establishing “odd” or “even”, the term shall be considered as of January 1 of the beginning of the Association fiscal year.

### **Article III**

#### **Duties of The Board Of Directors**

1. In addition to the powers and duties of the Board of Directors imposed by the law, the Board of Directors shall have a general supervision of the policy with respect to the CBYRA. It shall be a further duty of the Board of Directors to investigate and hear violations of the by-laws and rules of operation. The Board of Directors shall make such rules of operation as may be necessary to carry out the by-laws.
2. Each member of the Board of Directors shall not have more than three unexcused absences from meetings of the Board of Directors in one year except for business, sickness or death in the family or they shall be replaced. A **letter** stating a desire to remain on the board may be considered prior to removal.
3. A quorum at any meeting shall consist of a majority of the entire membership of the Board of Directors. During sport seasons, a quorum may consist of only five (5) board members. In this event, only ordinary business may be conducted IE no amendments to by-laws or disciplinary action can be taken.

### **Article IV**

#### **Officers of The CBYRA**

1. The Officers of the CBYRA and their duties shall be as follows:
  - A. President
    - i. The President is responsible for presiding at all meetings of the Board of Directors and all general meetings of the CBYRA.
    - ii. The President shall sign all written contracts.
    - iii. The President, Vice-Presidents and Commissioners are charged with assuring that all rules and regulations for the local programs are adhered to.
    - iv. The President assigns duties to members of the Board of Directors and gives special assignments to officers, directors and any workers in the program.
    - v. The President or appropriate Commissioner is accountable for representing the local program in the district and state meetings as well as all other official functions.

- vi. The President is responsible for recommending yearly, 3-5 year and up to 10 year objectives to the Board of Directors for their consideration and action. These should be upon, or in consultation with sport commissioners' and their committees. These objectives would include all items that are necessary to fulfill the objectives of the organization or the league specifically mentioned. Examples would include expansion, park improvements, community and public relations, activities, equipment, major rehabilitations and other items that would result in the betterment of the program.
- vii. The President shall appoint an annual Finance Committee. The calendar year shall be January 1 through December 31.
- viii. The President will assist the Commissioners with organizing all local tournaments.
- ix. The President will attend as many games as possible and will observe the conduct of the Managers, coaches, players and fans with an attempt to improve the sportsmanship of all concerned.
- x. The President or appoint a representative responsible for coordinating communication with local government.

**B. First Vice-President**

- i. The First Vice-President is a member of the Board of Directors and is an elected officer.
- ii. In the absence of the President, the Vice-President will assume the duties of the President. In the event of the permanent absence of the President, the Vice-President will serve as President until a new President is elected by the membership.
- iii. The Vice-President will assist the President in any duties that the President requires assistance.
- iv. The Vice-President is an ex-officio member of all standing committees.
- v. The Vice-President is chairman of the finance committee.

**C. Second Vice-President**

- i. The Second Vice-President is a member of the Board of Directors and is an elected officer.
- ii. In the absence of the President and the First Vice-President, will assume the duties of the President. In the event of the permanent absence of the President & First Vice

President, the Second Vice-President will serve as Vice-President until vacancies are filled upon election by the membership.

D. Secretary

- i. The Secretary shall issue notice of all meetings, including an agenda of the Board of Directors at the request of the President.
- ii. The Secretary assists the Commissioners in the registration of all players.
- iii. The Secretary is responsible for seeing that the Commissioner, the State Director and the District Director are kept informed on the proper league address.
- iv. The Secretary is responsible for preparing and distributing to the officers and Board of Directors a copy of the agenda on or before the day of the monthly meeting or special meeting.

E. Treasurer

- i. The Treasurer shall keep accurate financial records of all monetary transactions including concession accounting.
- ii. The Treasurer will assume the accountability for the collection on **all revenues** and delinquent accounts will be brought to the attention of the Board of Directors. Revenues shall include but not limited to fundraising of any kind, sponsorships, and donations. In the event that a donation is made, the treasurer will send, upon request, a letter of thanks with the donated amount to the individual, family or business. Amounts that warrant a response shall be at the discretion of the board and any of its officers.
- iii. The Treasurer will be accountable for the custody of all money.
- iv. The Treasurer will ensure payment of all bills presented by the sports committees as long as the expenditure is approved in accordance with the current financial policy as approved and reviewed annually by the Board provided there are available funds for that sport. The treasurer may be assisted by board members appointed by the president that will act as purchasing agents for the board. These agents are to assist the treasurer with this duty. It is suggested that these agents along with the treasurer be listed on any financial policy addendum to these by-laws.
- v. It will be the responsibility of the Treasurer to Assist finance committee with an annual audit by the Board of Directors.
- vi. An annual budget of estimated receipts and expenditures will be prepared in conjunction with the finance committee for the approval of the Board of Directors and membership at the December meeting. This will be done with the assistance

of any planned capital improvements or purchases, sport committee requests and expected participatory budgets from each sport.

- vii. The Treasurer will be responsible to file all tax related documents, permits, and other regulatory documents.

## **Article V**

### **Meetings**

1 Two general meetings of the Association shall be held on an annual basis. The annual meeting will be held the first Monday of November. The budget meeting will be held the first Monday of December. At these meetings eligible members will have a vote in any business before the CBYRA including elections to the board, by-law revisions, and an annual budget. At the budget meeting, the member sports will submit their annual budgets for review by the Board of Directors.

2. The quorum for all membership meetings of the CBYRA shall consist of 2/3 of the Board of Directors.

3. The Board of Directors shall meet on the first Monday of each month. The purpose of the monthly meetings shall be to conduct any business of the Association.

## **Article VI**

### **Committees**

#### **1. Standing Committees**

- A. The standing committees to be appointed by the President will be as follows: Finance, Nominating, Concessions, Building and Grounds, Risk Management, Volunteer and such other special committees as the President may deem expedient or to be requested by the membership to appoint.
- B. The Board of Directors must approve the President's selections for the Finance, Nominating, Concessions, and Buildings and Grounds Committees. The Board of Directors is not involved in the recruitment, selection, or approval process for members of the individual sport committees.
- C. The Board of Directors must approve all Committee actions outside the normal scope of operations for the individual sports. Examples of actions which would require Board approval include, but are not limited to: Fundraising in which the CBYRA name is being used and permanent improvements/changes to CBYRA facilities.
- D. Each standing committee will have at least three (3) members including a Chairperson

E. The executive committee shall be the elected officers of the association. They will serve as the budget committee responsible for revenue and expense of the CBYRA. The executive committee shall act on behalf of the board in the absence of a meeting. It is understood that a called meeting shall be attempted but situations may arise that warrant an executive committee decision. All members of the executive committee MUST be in agreement or action must wait for the called meeting before a decision can be rendered. Actions taken by the executive committee shall be ratified at the next meeting.

E. Duties Of Standing Committees

- i. The Budget Committee is responsible for raising funds through special events or fund-raisers. The president and the executive committee reserve the right to accept assistance from other members to accomplish this task.
- ii. The Finance Committee who shall be appointed annually by the President with the approval of the Board of Directors is to review the books in November prior to the annual meeting of each year. The First Vice-president shall be the chair person of the finance committee. An audit shall be performed by an outside firm or individual(s) to be appointed by the Finance Committee. The cost, if any, of this audit shall be shared equally by each respective sport. The Treasurer shall meet with the committee, as the committee deems necessary. The Committee shall report directly to the Board of Directors.
- iii. The Building and Grounds Committee shall be responsible for the maintenance and upkeep of the buildings and grounds and the equipment necessary to maintain facilities. Each individual sport will be responsible for the day to day upkeep of their respective fields/facilities and will work with the Buildings and Grounds to ensure that the facilities are kept in good condition.
- iv. The Nominating Committee shall be responsible for presenting a slate of names for positions on the Board of Directors as they become vacant and/or come up for re-election.
- v. The Concession Committee shall be responsible for operation of concessions including purchasing, pricing, and worker scheduling.

2. Sports Committees Specifically

- A. The Softball, Baseball, and Soccer Committees shall consist of at least 4-7 members with a commissioner and assistant commissioner selected from the Association's members by the respective commissioners.
- B. The Softball, Baseball, and Soccer Committees are responsible for running operations of their respective sports. The Board of Directors will not be involved in the day-to-day operations of the sports programs but shall maintain oversight authority over the

- programs. It will be the responsibility of the sports committees and their respective commissioners to run their programs in a manner consistent with the goals of the CBYRA and any sanctioning bodies as it may apply.
- C. The by-laws for each sport are required to be reviewed by each committee and submitted for approval to the Board of Directors on an annual basis. Changes can be made to these by-laws as needed but also must receive approval from the Board of Directors. It is the expectation of the Board of Directors that each program will administer its program according to the by-laws as approved.
  - D. Each member sport will be considered an auxiliary enterprise; that is the revenue generated from registration, sponsorships, fundraising, and tournament income will be earmarked for use by the sport that generates it with it understood that all funds will pass through to the respective sport once they have been deposited to the CBYRA treasurer. As long as the general fund maintains a set balance on hand to operate, those funds will remain reserved for the respective sports. All purchases must still comply with purchasing policy and any short, mid or long range planning.
  - E. Expenditures made by the sports must be approved by the Commissioner or Asst. Commissioner before the Treasurer will issue payment.
  - F. The sports committees will have the responsibility of approving coaches for their programs. The commissioner of each sport should provide a list of prospective coaches for discussion and approval by his or her committee. ALL staff members involved in CBYRA programs must submit to the requirements of the Risk Management policy of the CBYRA and failure to do so will result in removal from the program. See the Risk Management section for details.

## **Article VIII**

### **Penalties and Dismissal**

1. Violations of any articles of the By-Laws or the Rules of the Operation as may be set up shall be investigated and heard by the Board of Directors.
2. Allegations of misconduct that can not be handled at the Commissioner's level will be brought to the Board of Directors for a hearing. The member in question will have the opportunity to be heard by the Board of Directors and answer the allegations made. This hearing shall be public unless otherwise requested by the member in question.
3. A member subject to dismissal may request someone from the membership of the Association, other than those holding Director's positions, to act as their counsel in the hearing before the Board of Directors.
4. Dismissal of members shall be done by a secret ballot by the Board of Directors. A two-thirds (2/3)-majority vote of the Board of Directors shall be necessary to dismiss a member.

5. Any member who has been dismissed may not be reinstated except through regular application as for a new member. Such re-application shall not be accepted for a period of (1) year. (First Offense). Second Offense permanent dismissal. This does not effect the child's participation.

## **Article IX**

### **Amendments**

1. No amendments, alteration or repeal shall become effective unless by two-thirds (2/3) vote of the Board of Directors of the CBYRA.

## **Article X**

### **Parliamentary Authority**

1. Robert's Rules of Order shall govern the CBYRA in all cases with president appointing parliamentarian or acting as such.

## **Article XI**

### **Rules Of Operation**

- Each member sport will decide on its own how it will operate.
- Each member sport will be responsible for its own fields and grounds general maintenance.
- Each member sport must coordinate its ordering of uniforms, equipment, and awards with the treasurer and/or the designated purchasing agents of the board. The president, treasurer and one representative appointed by the president from membership of the respective sport committees shall be designated purchasing agents for the board.
- Each member sport must hold a minimum of six monthly meetings annually with the average minimum number of members per meeting to exceed three members. Meeting dates shall be predetermined at least annually.
- Any disciplinary or dismissal action imposed against any person in a member sport shall be honored by the other member sports.

- Member sports must submit their rules of operation and any subsequent changes to said rules of operation to the Board of Directors within 30 days of the rules of operation taking effect.
- Voting representatives must present general CBYRA issues and information discussed at Board of Directors to their member sports at the next member sport meeting.

## **Article XII**

### **Policies**

The CBYRA shall have supplemental policies to these by-laws to assist in the discharge of the various duties and responsibilities of the board and its representatives. Policies are to be used as guidance but adhered to whenever and wherever possible and these separate policies will be attached to these by-laws as addendums to these bylaws.

Listed policies may include but are not limited to are: Risk Management; Financial policy; and Purchasing policy.

### **Risk Management**

The Crewe-Burkeville Recreation Association's Risk Management Program is attached to these By-Laws as Appendix A. The Risk Management policy is posted and can be viewed at any time at [www.cbyra.com](http://www.cbyra.com). The CBYRA, its' officers and board members assume no liability for criminal or civil infractions. It is the intention of the board to handle business in a reasonable, prudent and acceptable manner.

### **Purchasing Policy**

The Purchasing Policy is to provide guidelines for the following but not limited to: officers, agents, Board members, sport commissioner's, coaches and managers, and Recreation Association members' ensuring transparency in making financial decisions most of all, purchases. See policy attached as an addendum.

### **Financial Policy**

The intentions of the CBYRA are to maintain a balance of \$10,000 within all of its accounts. The reasoning behind this is to ensure adequate funds be available prior to the start of any sport season for sufficient "start up" funds necessary to begin said sport season. These funds may also be used for matching funds if any grants pursued come to fruition that have a cash match. The CBYRA will make every attempt to log recreation association volunteers such as board members, coaches, managers, and any person who donates time to the service and discharge of the various functions under the umbrella of the Crewe Burkeville Recreation Association. See policy attached as an addendum.

### **Indemnification**

Each person now or hereafter a director or officer of the Association (and his/her heirs, executor, and administrators) shall be indemnified by the Association against all claims, liabilities, judgments, settlements, costs and expenses, including attorney's fees, imposed upon or reasonable expenses incurred by him in connection with or resulting from any action, suit, proceeding or claim to which he is or may be made a party by reason of his/her being or having been a Director or other officer of the Association (whether or not a director or officer at the time of such costs or expenses are incurred by or imposed upon him), except in relation to matters in which he/she shall have been finally adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of his/her duties as director or officer or in the event of a settlement, the indemnification shall be made only if the Association shall be advised, in case none of the persons involved shall be or have been a director, by the Board of Directors of the Association, and otherwise by independent counsel to be appointed by the Board of Directors that in its or his opinion the director or officer was not guilty of gross negligence or willful misconduct in the performance of his/her duty, and in the event of a settlement, that such settlement was or is in the best interest of the Association. If the determination is to be made by the Board of Directors, it may rely as to all questions of law on the advice of independent counsel.

Such right of indemnification shall not be deemed exclusive of any rights to which he/she may be entitled under any by-law, agreement, or otherwise.

## **ARTICLE XIII**

### Definitions

Ex-Officio member- An individual that has same privileges as a regular board member complete with voting privileges however will not be charged to the set number of voting board members nor be bound by service, attendance or participation beyond the individuals ability or desire to serve.

Director Emeritus- An associate board member with all privileges with the exception of voting.

Fundraising—any source of revenue under the title of the CBYRA or any of its committees including sport committees. Expenses must be tracked within the function for evaluation of the success or failure of said event. Information is needed to plan future events and is to be shared with other special functions.

Contact List—The list of members, board members and sponsors. The list is private and shall not be divulged to anyone voluntarily or for profit. Family members and sponsors will identify preferred method of contact each season.

Tournament—Any tournament shall be subjected to the budget process with a list of projected expenses and revenues. All sub accounts for all tournaments will be kept separate for accounting and tracking purposes such as gate, raffles, program sales,

concessions, umpire, trophy expenses and start up costs. Tournaments will be handled by respective sports committee with support from the board.

Capital purchases—Any purchase that is not a recurring expense such as new facilities, major renovations, or upgrades. Capital purchase generally means that bids, estimates and a plan of work are involved.

Plan of Work. A detailed plan identifying methodology for acquiring the goals of a major project undertaken on behalf of the CBYRA. This plan shall be reviewed annually prior to the membership meetings for changes, adjustments and/or additions. The president shall notify membership of this review with acceptance set for the final two meetings of the year.