

BEULAH RECREATION ASSOCIATION, INC.

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Phone: 275-9904

BY-LAWS

ARTICLE I. NAME OF ASSOCIATION

The legal name of the association shall be "Beulah Recreation Association, Inc." in which name the organization shall be incorporate under Virginia Law. The trading name of the association (i.e., alias or common name) shall be "Beulah Swim and Tennis Club" in which name the organization will trade and market its recreational services and facilities to the public.

ARTICLE II. OBJECTIVES

SECTION 1. To provide adequate recreation facilities for its members.

SECTION 2. This shall be a not for profit association (IRS section 501(c)(7)), and its facilities shall be provided for the use only by members and their guests.

ARTICLE III. MEMBERSHIP

SECTION 1. There shall be six classes of membership, (1) Regular (family or single) Membership, (2) Limited Family Membership, (3) Honorary Lifetime Membership, each having full privileges, (4) Associate Membership (family or single) per ARTICLE XIV having the same privileges as Regular Membership except they may not vote, (5) Corporate Membership and (6) Swim Team Membership. All references to Regular Membership in these By-Laws shall include the Lifetime Membership and the Limited Family Membership unless specifically stated otherwise.

SECTION 2. a) Regular Family Membership in the Association shall be defined as "Head of Household" and Domestic Partner, if any, along with all dependent children of the family. A child is considered a dependent child if the parent can claim the child as an exemption on their Federal Income Taxes. A Regular Single Membership shall be defined as one (1) individual 18 years of age or older.
A Limited Family Membership shall be defined as one (1) adult with one (1) single child dependant child.

b) The Executive Board of the Beulah Recreation Association shall make final determination for inclusion as part of a household and may request such information as it deems necessary to determine who shall be included in a family membership.

c) Special cases may be included as part of the same family membership at an additional fee per person to determined annually by the Executive Board. Upon written application by the member, special cases may include:

- 1) a member's non-dependent relative or child residing in the same household
- 2) a child under the regular direct care and supervision of the member
- 3) a childcare provider (i.e.: nanny, babysitter).
- 4) a member taking full responsibility of a child under the age of 18
- 5) immediate family add on (i.e., grown children, grandchildren, in-laws), member will take full responsibility for family

Special cases shall not include day care providers who care for more than five children (not including those children living in the member's home) or who would otherwise be mandated by Chesterfield County or the Commonwealth of Virginia to obtain licensing for such care. The Board may request of the member making such application any information it deems necessary to render such a decision. Once approved and the additional fee is paid, the person or persons would be issued an ID card with the family membership number. Special cases must be applied for annually.

d) An Honorary Lifetime Membership in the Association shall be defined as a Regular Membership of twenty-five (25) consecutive years which has paid annual dues for at least twenty-three (23) years (waivers of dues for board service shall be counted towards the 23 years) and has forfeited all heretofore refundable fees.

e) The Corporate Membership in the Association will not have voting rights. The Executive Board of the Beulah Recreation Association shall make final determination as to the privileges of each Corporate Membership.

f) Swim Team Membership will be limited only to Swim Team Member for Swim Team events only (i.e., swim practice, swim meets and swim team parties). A Swim Team Membership will have no voting rights.

SECTION 3. a) Application for membership shall be:

1) On an official form furnished by the Beulah Recreation Association.

2) Applicant shall agree to observe and abide by the Charter and By-Laws of the Association and such rules and regulations as may be established by the Executive Board or its sub-committees.

3) The application must be signed by the applicant and be endorsed by one (1) Board member.

4) Applications are placed on a waiting list until an opening in the membership is available.

5) Application can be considered for acceptance at any time from receipt of application by the Association's Membership Secretary until an opening in the membership occurs.

b) Acceptance of membership shall be contingent upon payment of a membership fee and annual dues as specified in ARTICLE IV.

SECTION 4. Membership in the Association is not transferable or assignable except:

a) as specified in ARTICLE III, SECTION 10a) of these By-Laws or

b) to an immediate family member or any other person/family approved by the Executive Board, in which case:

(1) all heretofore refundable fees are forfeited,

(2) member must relinquish their stock certificate to the Executive Board, or provide the Board a notarized statement that the stock certificate has been lost, and

(3) all years of tenure towards "Honorary Lifetime Membership" are forfeited, i.e., a new 25 year period begins for purposes of qualifying for honorary membership in the Association.

SECTION 5. The maximum number of members in the Association at any given time shall be determined by the Executive Board, by majority vote.

SECTION 6. a) Any member who fails to pay annual dues as specified in ARTICLE IV, SECTION 2, shall become ineligible for use of all facilities provided by the Association for the remainder of that year. Subsequent payment of annual dues shall reinstate use privileges.

b) While non-payment of annual dues causes all use privileges to be suspended for that year, the membership is not deemed in arrears. Dues are not cumulative from one year to the next.

c) Failure to pay dues for any given year further suspends a membership's right to vote on any matter, attend meetings for the purpose of participating in Association business, or receive general mailings during that year. Payment of dues reinstates all these privileges.

d) Any member who has not paid his annual dues by June 15, shall be considered to be sitting out for the year.

SECTION 7. Any member of the Association or individual member of a household holding membership may be suspended for the actions detrimental to the Association by a majority vote of the Executive Board. The Board may set the length of suspension, but in no case will it be less than 15 days.

SECTION 8. Any member of the Association may be expelled for the actions deemed seriously detrimental to the Association by a 3/4 vote of the Executive Board. In the event of the expulsion, the membership fee will be refunded in accordance with ARTICLE IV, SECTION 3, 5 and 6.

SECTION 9. In the event a member is suspended or expelled from the Association, he has the right to a personal hearing before the Board within five (5) days of action taken. In all cases, Executive Board action is final and subject to no further appeal.

SECTION 10. a) In the event of divorce or legal separation within a family membership, and if the membership is to continue in effect, it is the responsibility of the separated parties to decide which household retains full ownership of the membership. A letter must be directed to the Executive Board signed by both parties requesting ownership be assigned to one or the other and listing all dependents residing in that household. If the parties fail to do this within a reasonable time, the Executive Board may cancel the membership and refund the fee in the same manner as the membership certificate was issued.

b) If after divorce or legal separation or while such action is pending, request for refund or membership fee is made, the letter must specify to whom refund of membership is to be made and be signed by both parties. If this is not done, the Executive Board will make the refund in the same manner as the membership certificate was issued.

ARTICLE IV. MEMBERSHIP FEES AND DUES

SECTION 1. a) Membership fee for each charter membership shall be \$300.00, payable upon acceptance of application for membership by the Executive Board. Charter membership shall be all those accepted by midnight, November 15, 1971.

b) Membership fee for each membership accepted after November 15, 1971 shall be \$375.00, payable upon acceptance of application by the Executive Board.

c) Membership fee for each membership accepted after November 15, 1974 shall be \$450.00 payable upon acceptance of application by the Executive Board.

d) Membership fee for each membership accepted after November 15, 1978 shall be \$400.00, payable upon acceptance of application by the Executive Board.

- e) Membership fee for each membership accepted after November 15, 1991 shall be \$300.00, payable upon acceptance of application by the Executive Board.
- f) A non-refundable membership fee for each membership accepted after November 15, 1992 shall be \$450.00 payable upon acceptance of application by the Executive Board.
- g) The non-refundable membership fee accepted after November 15, 1995 shall be;
 - 1) Family Membership - \$400.00
 - 2) Single Membership - \$200.00
- h) The non-refundable membership fee for each membership accepted after November 15, 1997 shall be;
 - 1) Family Membership - \$150.00
 - 2) Single Membership - \$75.00
 This non-refundable fee may be paid over a two year period, with at least half being due (payable) the first year.
- i) Corporate Memberships will be exempt from paying Membership Fees. A Corporate annual fee will be fixed by the Executive Board.
- j) Swim Team Memberships (which will include any eligible person(s) from one family) will pay a one time non-refundable membership fee and all Swim Team fees. Membership fees and all Swim Team fees must be paid in full before a member will be allowed to participate in any Swim Team event.

SECTION 2.

- a) There shall be annual dues to be fixed by the Executive Board. These dues shall apply to each membership (Family or Single), however; Family and Single dues may differ. Payment of annual dues entitles all members to full use of all facilities from date of payment through April 1 of the following year. Lifetime Memberships shall be exempt from annual dues.
- b) A penalty fixed by the Executive Board shall be assessed on late payment of dues. This penalty shall be equal for all members of a given class.
- c) Annual dues for existing members shall be due and payable not later than April 1 of each year. If desired, existing members may make periodic installments to pay annual dues provided all amounts assessed are paid in full not later than April 1. The Executive Board also reserves the right to reward early payment of dues (i.e., all amounts paid in full before April 1 of any given year) with a percentage discount off the total dues assessed. This discount, if in effect for any given year, will be announced by the Board prior to February 1.
- d) Annual dues for new memberships shall be due and payable either (1) in full at the time of joining, or (2) not later than July 15 if on a payment plan approved by the Board. The primary payment plan shall be 1/3rd of dues payable on or before May 15, with another 1/3rd due June 15, and the final 1/3rd due July 15. If a new member joins after May 15th but before June 15, they can make the initial 1/3rd payment at the time of joining and continue making 1/3rd payments on June & July 15th. Further, if a new member joins after June 15, then 1/2 payment can be made at the time of joining with the final 1/2 payment being payable not later than July 15. (Note: A new member shall be considered a member in good standing as long as they are making payments in accordance with their payment plan.) Again, the Executive Board reserves the right to reward full, early payment by new regular members by announcing a percentage reduction off of the full dues assessed for the year. If in effect for any given year, this reduction % and the payment due date will be announced by the Board prior to February 1.
- e) Annual dues for new memberships accepted between June 27 and July 31 shall be reduced by 1/3rd and for new memberships accepted on or after August 1 shall be reduced by 2/3rd, rounded to the next full dollar. The purpose of this reduction is in recognition that the primary membership benefit is use of the pool, which is open approximately 15 weeks each year. Therefore, reductions in annual dues (for new members only) are offered after the passing of 1/3rd and 2/3rd of the pool season.
- f) Payment of membership fee only without payment of annual dues will admit a new member. However, use of facilities is prohibited until dues are paid, or are being paid in accordance with paragraph (d) above. If such a new member decides later, but within the same calendar year of joining, to activate the membership by the payment of dues, the amount of dues owed will be determined by the date membership was accepted, not the date dues are paid.
- g) A penalty fixed by the Executive Board may be assessed for return checks.
- h) Corporate Annual fees for existing Corporations shall be due and payable no later than April 1 of each year.

SECTION 3.

Membership fees outlined in SECTION 1 (A thru E) of this article shall be refundable upon voluntary or forced withdrawal, provided funds are available. Annual dues are not refundable after June 1, except with the approval of the Executive Board.

SECTION 4.

Refund of membership fees shall be made only upon written application to the Executive Board, except in the case of forced expulsion, and only if funds are available. If funds are not available and sufficient to pay all refunds pending, a waiting list for refund shall be established. The order for payment of refund shall be the postmark date on the envelope containing the refund request.

SECTION 5.

Refunds may be made in a lump sum or installments as soon as practicable.

SECTION 6.

Only the actual membership fee paid shall be refunded, without interest, and without consideration as to enhanced values of Association assets.

SECTION 7.

Any individual holding a refundable stock certificate may elect to surrender such certificate in exchange for one year credited dues.

- SECTION 8. a) An initiation fee of \$50.00 will be charged for all memberships accepted after November 15, 1978.
b) An initiation fee of \$150.00 will be charged for all memberships accepted after November 15, 1991.
c) No initiation fee will be charged for memberships accepted after November 15, 1992.
- SECTION 9. Any member who has paid a non-refundable joining fee who is inactive for three (3) consecutive years revokes all membership rights and privileges.

ARTICLE V. SPECIAL USE PRIVILEGE

The article pertaining to Dalebrook Athletic Association was revoked in its entirety on October 23, 1974.

ARTICLE VI. MEETINGS

- SECTION 1. There shall be an annual meeting of the membership during the month of October at a time and place designated by the Executive Board.
- SECTION 2. Special membership meetings may be called by the President, a majority of the Executive Board, or by written petition of at least ten percent (10%) of the total membership.
- SECTION 3. Executive Board meetings shall be held quarterly or more often at the discretion of the President.
- SECTION 4. A majority vote of the members present at any duly scheduled and duly conducted membership meeting shall decide any issue presented at the meeting.
- SECTION 5. Each membership of the Association shall be entitled to one (1) vote collectively, and that vote cannot be split.
- SECTION 6. a) Notices of all meetings, except Executive Board meetings, shall be mailed to all members in good standing at least seven (7) days in advance of the meeting.
b) Notice of any meeting at which any amendment to ARTICLES OF INCORPORATION and/or these By-Laws will be acted upon must be mailed to the membership at least thirty (30) days in advance of the meeting. The proposed amendment(s) must be outlined in such notice. A 2/3 majority of those voting in person or by proxy is required to pass such amendments.
- SECTION 7. Roberts' Rules of Order shall be followed at all meetings.

ARTICLE VII. OFFICERS AND EXECUTIVE BOARD

- SECTION 1. There shall be an Executive Board consisting of twelve (12) members, which board shall comprise the Corporate Board of Directors. This board shall have full authority and responsibility to conduct all business of the Association throughout the year.
- SECTION 2. Executive Board members shall serve three (3) year terms, with terms staggered as follows: At the first annual meeting (October 1972) three directors shall be elected to a one-year term; three directors to a two-year term; and three directors to a three-year term. At the annual meeting (October 1978) three directors shall be elected. Thereafter, for two consecutive years, four directors shall be elected for three-year terms and on the third year three directors shall be elected to a three-year term. This system of electing directors shall prevail from then on. Directors shall take office immediately upon election.
a) Any vacancy occurring on the board for any reason will be filled by vote of the remaining board for a term to expire at the time of the next annual membership meeting.
- SECTION 3. a) As soon as possible after the Annual Membership Meeting and election, the Executive Board shall elect from its members a President, Vice-President, Membership Secretary, Recording Secretary and a Treasurer, each to a one-year term.
b) A vacancy in any office for any reason shall be filled by election from the remaining members of the Board.
- SECTION 4. A slate of Executive Board members shall be recommended by a nominating committee appointed by the President at least 30 days prior to the Annual Meeting. Nominations for board members may also be made from the floor.
- SECTION 5. Any board member previously given written notice by the remaining board members of unsatisfactory or detrimental performance may, after at least 30 days to correct such performance be expelled from the board by a 2/3 majority vote of the entire Board of Directors.

ARTICLE VIII. DUTIES OF OFFICERS

- SECTION 1. The President shall preside over all Membership and Executive Board Meetings. He is the Chief Executive Officer, and is responsible for administration of all affairs of the Association. He shall appoint all committees necessary for the effective operation of the Association, and shall be ex-officio member of each.
- SECTION 2. The Vice-President shall perform all duties of the President in his absence. Further, he shall assist the President as directed, and shall serve as coordinator of any committees so designated by the President.
- SECTION 3. The Recording Secretary shall record and keep a permanent record of all minutes of meetings of the Executive Board and membership. He shall also maintain a proper file of all permanent and legal papers of the Association, including contracts, deeds, and leases, etc

- SECTION 4. The Membership Secretary shall maintain the official record of memberships, waiting list in order of priority for membership, and any record of suspensions. He shall maintain the current record of all members eligible for use of the facilities based upon payment of annual dues. He shall make necessary written correspondence as directed by the President or Executive Board.
- SECTION 5. The Treasurer shall keep a proper account of all funds received by the Association. He shall deposit all funds of the Association to either a demand or savings account as directed by the Executive Board, maintain and reconcile these accounts. He shall provide a financial statement to the Executive Board at least quarterly, and to the membership at the Annual Meeting. He shall make all books and financial records available to an Audit Committee at the appropriate time and assist them in any way desirable. He shall see that all bills properly approved by the Executive Board are paid in a timely manner. He shall maintain an accurate record of all income and disbursements. All obligations will be paid by check; no payments will be made in the form of cash.

ARTICLE IX. FINANCES

- SECTION 1. Revenues may be derived from membership fees, annual dues, interest on deposits, voluntary contributions, special projects, guest fees, sale of assets, or any other means approved by a majority of the Executive Board.
- SECTION 2. The President is authorized to expend not more than \$25.00 upon his own authority within any calendar month.
- SECTION 3. The Executive Board is authorized to expend whatever funds are necessary and available for proper operation of the Association at all times, subject to full audit as outlined in SECTION 5 of this ARTICLE.
- SECTION 4. The Executive Board shall have full authority to enter into proper contracts, conduct proper business, and when necessary, seek financing as approved by majority of membership voting at any regular or called meeting where such proposal is offered.
- SECTION 5. The fiscal year of the Association shall be October 1, through September 30. An annual audit shall be conducted within 90 days of fiscal year end. All books and funds shall be subject to audit.
- SECTION 6. All checks shall be signed by such officers of the Association designated by the Executive Board and those officers shall be bonded for an amount fixed by the board with cost of such bond paid by the Association.
- SECTION 7. The Executive Board shall have full authority to enter into proper financing arrangements to secure necessary funds to correct, cure or make well any major maintenance deficiency which may arise. This section shall pertain only to maintenance needs and shall not be construed to perform improvements.
- SECTION 8. In order to provide necessary funds for major maintenance items, an amount equal to 10% of the dues collected annually will be placed in a separate account. This section in no way supersedes SECTION 7 of this ARTICLE.

ARTICLE X. LEGAL SERVICES

The Executive Board may engage the services of any attorney as it deems necessary.

ARTICLE XI. AMENDMENTS

These By-Laws may be changed or amended upon recommendation of the Executive Board and approval of 2/3 of the members voting in person or by proxy at any properly called meeting for this purpose, or at the annual meeting, provided the membership is given proper notice of the intended amendments.

ARTICLE XII. COMPENSATION

Any monetary compensation to any member shall be prohibited unless for professional services rendered and approved by the Executive Board or those employed by an operating facility of this Association except as follows: Beginning with the 1982 Beulah Recreation Association season, all Board members of Beulah Recreation Association are entitled to waive annual family membership dues during the period that they serve as directors for the Association. In the event that a Board member resigns or is expelled from the Board during his term in office, but wishes to remain in the Association as a member, he will be subject to dues for the remainder of the year in the same manner as stated in ARTICLE IV, SECTION 2.(c). In order for the family membership privileges to continue in effect, the balance of that year's dues must be received by the Membership Secretary within two (2) weeks of the effective date of the Board member's termination. A board member whose full term of office is fulfilled at the annual membership meeting in October shall be considered as set aside until the following April 15th.

ARTICLE XIII. DISSOLUTION

If the Association is dissolved for any reason, all property, real, personal, or otherwise, shall be disposed of in such manner as decided by a majority vote of the membership. The effective date of any revision or amendment shall be noted at the bottom of the last page.

ARTICLE XIV. ASSOCIATE MEMBERSHIP

- SECTION 1. The Executive Board shall determine the number, if any, of Associate Memberships (Family or Single) each year.
- SECTION 2. An Associate Membership pays a flat non-refundable fee as fixed each year by the Executive Board. This fee must exceed the amount of dues for the current year. The non-refundable fee for an Associate Single Membership may be different than for an Associate Family Membership.
- SECTION 3. In the event that an Associate (Family or Single) member wishes to purchase a Regular Membership the following year the difference between the Associate Membership fee paid and the dues for that year shall be credited toward the Regular Membership fee (Family or Single) in effect the following year. This option must be exercised by April 15 of the following year.

Amended:	October 26, 1972	October 23, 1984	October 21, 1996	October 20, 2003
	October 23, 1974	October 25, 1988	October 27, 1997	October 25, 2004
	October 28, 1976	October 17, 1990	October 26, 1998	March 28, 2006
	October 27, 1977	October 29, 1991	October 17, 2000	October 23, 2007
	February 20, 1979	April 3, 1993	October 15, 2001	
	October 27, 1981	October 22, 1994	October 21, 2002	
	October 27, 1982	October 21, 1995	April 21, 2003	

Revised and adopted this date: October 7, 1971