

Approved xx-xx-xxxx  
Swim Club Board of Directors

Approved xx-xx-xxxx  
Swim Club Membership



# **Betmar Owners, Inc. Swim Club**

**Amended and Restated**

**Bylaws**

# Betmar Owners, Inc. Swim Club

## Bylaws

### ARTICLE I: Name and Organization

1.1 The Betmar Owners, Inc. Swim Club (“Swim Club”) is an approved Club operating within the Betmar Community as a sub-organization under the bylaws of Betmar Owners, Inc. (“Betmar Owners” or “Owners”). As a suborganization, the Club is financially and operationally accountable to Betmar Owners. The Club strives to be self-sufficient, with elected officers, approved Bylaws not in conflict with Betmar Owners Bylaws, a controlled access membership paying annual dues and monthly minutes of Board/Membership meetings. A representative of the Swim Club shall attend each regular monthly Owners Board meeting to facilitate information sharing and ensure proper approval of projects.

1.2 The pool facilities shall be called the **Betmar Aquatic Center**.

### ARTICLE II: Object and Authority

1.1 The object of the Swim Club is to provide facilities that promote overall well-being of the fee-paying members and to **ensure continuous availability**, management and maintenance of the facilities. The Swim Club is accorded all the rights and privileges of Betmar Owners, Inc. The Swim Club will take no action in conflict with the basic policies and provisions prescribed by the parent organization. Betmar Owners authorizes the Swim Club to formulate and post such stipulations as are necessary to control the use of the facilities in accordance with the stated purpose of the organization. Ownership and title of all properties is vested in Betmar Acres Club, Inc.

1.2 The Swim Club is financially self-sustaining to the extent allowable under Florida law but may be provided financial support from Betmar Owners or Betmar Acres, Inc.

## ARTICLE III: Members

### Section 1: Membership

- 1.1 Betmar Residents and Tenants (after registering with the office annually), forty-five (45) years and older who reside in the Betmar Community may join the Swim Club, provided they abide by the Swim Club rules/regulations, one person of the household is fifty-five (55) years of age or older and they have paid the Swim Club initiation fee plus the yearly maintenance fee, as well as all fee(s) set by Betmar Acres, Inc. and Betmar Owners.
- 1.2 The Betmar Swim Club membership year runs from April 1 to March 31 of the following year. All memberships are for a minimum of one full year. Membership cannot be transferred to a renter or to a new property owner upon sale of the member's property.
- 1.3 A Swim Club member who has allowed their membership to lapse for a period of two (2) years or less may rejoin the pool without paying an additional initiation fee. A lapse of more than two (2) years will require a new initiation fee to rejoin.
- 1.4 If a Swim Club member is not in good standing with Betmar Owners and/or Betmar Acres, Inc., their membership will be suspended until good standing is achieved.

### Section 2: Voting

- 2.1 A quorum of 30 Swim Club members in good standing is required for any membership vote. Any member in good standing whose name appears on a deed to a lot within a Betmar subdivision and resides within Betmar is entitled to one vote no matter how many lots they own. Renters/tenants may not vote. Absentee and proxy voting is not permitted.
- 2.2 A majority voice or raised hand vote of the members in good standing present at a Swim Membership meeting is sufficient in all matters with

the exception that matters relating to an amendment of the Bylaws or an Appeal of a Swim Board decision require a two-thirds (2/3) majority and a paper ballot vote.

## **ARTICLE IV: Organization**

### **Section 1: Board of Directors**

- 1.1 The Swim Club shall be governed by a Board of Directors (hereinafter referred to as the “Swim Board”). The Swim Board will serve under the direction of its President to coordinate and control all functions of the Swim Club and to assure effective pursuit of its purpose as outlined in Article II.
- 1.2 All Swin Board members must be a “member in good standing” as outlined in Article III Section 1.
- 1.3 The Swim Board shall consist of a President, Vice-President, Secretary, Treasurer, Membership Manager, Pool Equipment Manager, Pool Deck Manager, Security Manager, and Open/Close/Training Manager. Each Board member shall have one vote.

### **Section 2: Duties of the Swim Club Board**

- 2.1 The detailed description of duties associated with each position is included in the Swim Club Handbook which is updated annually to reflect any changes. At a high level:

The President shall:

- Ensure the Swim Board’s compliance with these Bylaws (and current policies and procedures) as well as Betmar Owners Bylaws, while maintaining consistent and open communications with the Betmar Owners/Acres Board of Directors, the Trustees, and the Membership
- Oversee operations and ensure appropriate and timely communication of all significant issues related to 1) maintenance and upkeep of the pools; 2) maintenance and upkeep of decks and surrounding area; 3)

security; 4) finance; 5) membership; 6) opening/ closing; and 6) fundraising activities

- Preside at Swim Club Board and General Membership meetings

The Vice-President shall:

- a. Act in the absence of the President and perform duties delegated by the President
- b. Advise/support all social and fundraising activities
- c. Keep records and update the Treasurer and the Membership on the results of each fundraiser at least monthly and submit final reports when closed

The Secretary shall:

- a. Keep an accurate and complete record of each meeting of the Club in a suitable book and submit it to the Betmar Office for permanent record retention at the end of each year
- b. Appoint an assistant to take minutes with the approval of the Swim Board in their absence
- c. Ensure adequate communication with Betmar Communications, the Swim Board and the Membership regarding meetings and administer the Swim Club social media sites
- d. Maintain and update the Swim Club Handbook (including Membership Rules) as needed, and make electronic copies available to all Members and the Board

The Treasurer shall:

- a. Ensure accurate recordkeeping of all Swim Club income and expenses in Quickbooks
- b. Pay bills, ensuring all payments are authorized and accurately applied in Quickbooks
- c. Work with the Betmar Treasurer, Vice-Treasurer, and/or the Betmar Office to ensure proper controls over debit and credit cards, expense reimbursements, contracts, and banking relationships

- d. Submit a monthly report to Betmar Owners, including all income and expenses and any original receipts and deposit slips
- e. Prepare a draft budget for review by the President and discussion during the December Board meeting each year

The Membership Manager shall:

- a. Keep accurate records of paid memberships and distribute membership identification and pool entrance fobs
- b. Maintain inventory of fobs
- c. Issue registration forms, collect registration fees and Guest Donations and make deposits in a timely manner
- d. Work with the Security Manager to ensure the smooth operation of the electronic Access System

The Pool Equipment Manager shall:

- a. Maintain the pool equipment area, pumps, filters, heaters, etc. in good condition
- b. Be aware of the general workings of the pools and call the necessary companies for repairs or guidance when needed
- c. Oversee purchasing of all necessary materials needed to keep the pools mechanically in good condition

The Pool Deck Manager shall:

- a. Maintain the pool decks in good condition, ensuring they are cleaned and suggesting ideas to improve the looks and safety of the pool area and grounds surrounding the pools
- b. Communicate with the pool cleaning company regarding any issues or additional services needed

The Security Manager shall:

- a. Oversee the cameras and security systems to ensure only authorized members gain access to the pools according to the rules
- b. Work with the security company to ensure systems function properly

- c. Review camera footage for rules violations on request

The Open/Close/Training Manager shall:

- a. Be responsible for scheduling and training all volunteer open and closers
- b. Maintain accurate records/schedule
- c. Report any issues to the Pool Equipment and/or Pool Deck Manager as appropriate

### **Section 3: Terms**

- 3.1 Swim Board officers shall be elected for two (2) year terms beginning with the 2027-2028 elections. The President shall be limited to two (2) 2-year terms, with the understanding they may serve again after a one (1) year absence from that office. Other positions have no such term limits. The Owners Board may approve exceptions if a successor candidate is unattainable.

### **Section 4: Single Office**

- 4.1 No elected officer of the Swim Board shall serve in any elected office in another suborganization or on the Betmar Owners/Acres Board.

### **Section 5: Nominations**

- 5.1 During an election cycle, the Swim Club President shall appoint a Nomination Committee (“nominating committee) comprised of four Swim Club members in good standing (preferably non-Board members). The President shall not serve on this committee.
- 5.2 Notice of the nominating committee contact and nominating forms shall be posted on the Swim Club social media and on the Swim Club website.
- 5.3 The nominating committee shall collect a signed nomination form from at least one qualified candidate for each position and verify they are

members in good standing. Existing officers must fill out a new form to be considered for re-election.

- 5.4 The nominating committee shall report their slate of candidates at the February Membership Meeting. Nominations from the floor will be accepted during that meeting.
- 5.5 Once the nominations are closed, if any position is contested and an election is necessary, the President shall appoint an Elections Committee chairperson to oversee voting at the March meeting.

### **Section 6: Elections**

- 6.1 Election of Swim Club officers takes place at a regular monthly Membership Meeting prior to March 31<sup>st</sup> during an election year. If no positions are contested, no election is necessary and the final positions will be announced at the March Membership meeting.
- 6.2 When necessary, the elections committee chairperson shall appoint and oversee three tellers (not on the ballot) to prepare the ballots and tally the votes at the March Membership meeting. All membership voting is in-person and paper ballots will be used. No write-in votes will be counted.
- 6.3 Those elected officers will be sworn in and take office during the subsequent April Membership meeting.

### **Section 7: Vacancies**

- 7.1 If for any reason, an officer is unable to fulfill his/her term of office, the Swim Club Board will recruit and appoint a replacement to serve until the next general election. Other members of the Board may cover the open position responsibilities temporarily but may not formally assume the title or have more than one vote.

## **ARTICLE V: Meetings**

## **Section 1: Members**

- 1.1 Membership Meetings** are held on the Monday following the Board meeting each month October – April. A quorum of at least 30 Swim Club members in good standing is required for any official business to take place. If no quorum is achieved, Membership meetings will be informational in nature.

## **Section 2: Board**

- 2.1** Regular meetings of the **Swim Club Board** are held on the second Thursday of each month from October through April each year. A quorum of five Board members (in-person, by phone or video conference) is required for regular and/or special meetings. If no quorum is achieved, information may be shared but no business can be conducted.
- 2.2** To maintain proper communications in the summer months, the Board may, at its discretion, hold virtual meetings and workshops to coordinate operational details and address issues as they arise. These meetings may be held via zoom or other virtual meeting platform and will not constitute a Board meeting as no formal business will be conducted.

## **Section 3: Times and Place of Meetings**

- 3.1** Meeting places and times will be posted on the Betmar calendar. Meeting dates may be subject to changes with adequate notification to the Membership in order to avoid conflict with holidays, special events, or in the event of extreme weather or other emergencies.

## **ARTICLE VI: Operations**

### **Section 1: Projects**

- 1.1 All projects undertaken by the Swim Club will be submitted to the Betmar Owners Board for approval; such approval shall not be unreasonably withheld.

## **Section 2: Financial**

- 2.1 The Swim Club raises funds and makes expenditures to support routine functions of the pool maintenance and repair activities as well as improvements to the facility. The Swim Club may maintain financial reserves for future repairs and improvements which are approved as to the amount and purpose by the Betmar Owners Board. The accumulated Reserve Funds are held in designated interest bearing accounts until the Swim Club is authorized to withdraw the funds for their intended purpose.
- 2.2 Swim Club Members and Betmar Community Residents shall not receive monetary remuneration for any services provided or performed in any Betmar facility or on behalf of the Swim Club. This does not prevent reimbursement for expenses incurred while performing volunteer work.

## **Section 3: Safety**

- 3.1 Only trained and authorized Swim Club members and qualified pool maintenance professionals will operate and maintain pool equipment. Appropriate signage regarding “No Lifeguard”, “Video Surveillance in Use” and “Use Pool at your Own Risk” as well as Betmar Owners-approved liability waivers will be placed in clear view of all swimmers. Every member is expected to help maintain the safety and condition of the pool and surrounding areas.

## **Section 4: Emergency Operations**

- 4.1 In the event of an emergency, to the extent allowed by law, unless specifically prohibited by the declaration or other recorded government documents, the Swim Club President and/or Swim Board of Directors may suspend certain requirements such as meeting quorums,

cancelling and rescheduling meetings, or appoint Assistant Officers to substitute for elected officers who are incapacitated or unavailable. Emergency powers will end once people and property are restored and returned to normal operations. All pertinent information, including emergency actions taken, will be shared as soon as practical with the Owners Board and/or the Trustees.

## **ARTICLE VII: Committees**

- 1.1 The President appoints special committees as needed, including Nominations and Election Committees. New or special projects may be assigned by the President to an appropriate committee or a new committee may be formed. Committees may be made up of Board and/or membership representatives depending on the purpose, and all appointed committees will report their results to the Swim Club Board. The President may be a member of all committees with the exception of the Nominations Committee.

## **ARTICLE VIII: Non-Members Guests and Tenants**

- 1.1 Visiting overnight guests of Swim Club members in good standing may utilize the Pools during their stay, with or without the member present. Guests must abide by the rules/regulations and children under the age of 18 must be accompanied and monitored by an adult. Guests must sign in on the “Guest Sign-In Sheet” at the entrance to the pool, indicating the responsible member, the date and the name of each guest. They must also pay the posted donation. The sponsoring member is responsible for both guest behavior and the payment of the posted donation and will be held accountable for any rule violations of their guests.
- 1.2 Guests may not be friends or relatives living in nearby towns and may not be residents or tenants in Betmar.

## **ARTICLE IX: Budget/Expenditures**

### **Section 1: Budget**

- 1.1 The Swim Club must submit a Membership-approved annual budget to the Betmar Owners Treasurer by January 31<sup>st</sup> each year. The form and content of the budget shall be directed by the Betmar Owners Treasurer and/or Vice-Treasurer.
- 1.2 Items included within and conforming to expenditures in an approved budget are to be considered approved and need not come before the Membership again prior to processing. All contracts must be signed by the Trustees.

## **Section 2: Expenditures**

- 2.1 Any expenditure by the Swim Club in excess of \$5,000, not included in an approved operating or capital budget, must be approved by the Owners Board.
- 2.2 Any expenditure by the Swim Club in excess of \$25,000, not included in an approved budget must be approved by the Owners Board and the Owners Membership at a regular or properly noticed General Assembly Meeting called for that purpose at which a quorum of 100 voting Members are present.

## **ARTICLE X: Bylaw Amendments**

- 1.1 A Swim Club member in good standing may propose a Bylaw amendment at a regular Membership meeting. The amendment must be in writing, signed, dated, presented to the President, or presiding officer and contents announced to the Members present.
- 1.2 The President, or presiding officer, shall refer the proposed amendments to the Betmar Owners Bylaws Committee for review. Within 45 days of the submission date, the Committee will report to the Swim Board with their recommendation.
- 1.3 Following Swim Board review and giving two weeks' notice, the President, or presiding officer, will present the proposed Bylaw

amendment for Membership vote at a Swim Membership meeting or a special meeting called for that purpose. A paper ballot vote of 2/3 of the members present and voting is required to make, amend, or rescind the Bylaw(s).

1.4 No vote to make, amend, or rescind the Bylaws shall be taken during the months of May, June, July, August, September or October.

## **ARTICLE XI: Appeals**

1.1 Any Swim Club member in good standing may propose to appeal a vote or other decision by the Swim Club Board during a regularly scheduled Membership meeting. The appeal must be in writing, signed, dated and the rationale for the appeal presented to the Swim Club President and the Swim Club Membership for discussion. A majority vote of the Members present at the meeting is required for the “request to appeal” to be approved and formally communicated for a formal ballot vote at the next Membership meeting. At that meeting, a two-thirds (2/3) majority of the Swim Club members in good standing present is required for the appeal to be approved. Procedures for voting will be the same as for changing the Bylaws.

1.2 If an appeal is approved by the Membership, it will be presented to the Betmar Owners Board for discussion at their next Board meeting (typically the week following the Swim Membership meetings). The Owners Board may request in-person presentations by representatives of both sides of the debate.

1.3 The Owners Board will discuss and vote to ratify the Swim Board’s decision or grant the appeal of the decision.