

By-Laws of the Lake Pines Club, Incorporated

ARTICLE I - THE PURPOSE AND NAME

- 1. The name of this corporation shall be the Lake Pines Club, Incorporated.
The principal office of said corporation shall be at 114 Club Road, La Grange, Lenoir County, North Carolina.**
- 2. The purpose and primary function of this corporation is to furnish recreation and entertainment for its membership, and to purchase real estate and erect buildings, swimming pools, or other structures for use by its members and their guests, and to that end, the corporation is authorized to construct and maintain swimming pools and like structures, and to do all things authorized by the charter of said corporation.**

ARTICLE II - MEMBERSHIP

- 1. Members of the Lake Pines Club, Incorporated, are those persons whose annual dues are paid up to date, holding one or more memberships in the corporation[^]**
- 2. The maximum number of memberships in the corporation is One Hundred-Twenty Five (125). Membership subscription fees shall be set from year to year by the Board of Directors (\$500.00 + Annual Fees).**
- 3. A member may not transfer his/her membership except with the approval of the board of Directors. Upon approval of the Board of Directors, a transfer fee of One Hundred Dollars (\$100.00) will be paid to the club.**
- 4. No member shall receive a dividend, or anything else of value by reason of ownership of such membership, and no profits or surplus funds of this corporation shall inure to the individual benefit of the members, such profits or surplus funds of this corporation shall be used solely in the purchase of additional real or personal property, and for the improvement thereof, for the benefit of the corporation and its members as the Board of Directors may, in their discretion, desire to purchase.**

ARTICLE III - OFFICERS AND DIRECTORS

- 1. The Board of Directors shall consist of nine members elected on a staggered basis in the following manner: Three directors to be elected and hold office for a period of one year, three directors to be elected to hold office for a period of two years; three directors to be elected and hold office for a period of three years.**
- 2. The following officers shall be nominated at the annual meeting of the corporation: President, Vice-President, Secretary and Treasurer. One person may hold more than one office at the discretion of the Board of Directors. Officers shall be elected from and by the members. The office of the President shall be filled by a member that is currently serving on the Board of Directors or the Officer Board.**
- 3. The President and Treasurer may receive a fee, designated by the Board of Directors, due to extensive responsibility associated with the position. The other Officers and Directors shall be paid no remuneration whatsoever.**
- 4. The operation, maintenance and use of the pool shall be vested in the Board of Directors, and the Officers shall constitute an Executive Committee, to carry out their duties as directed by the Board of Directors and as are necessary and proper to operate, maintain and develop the pool.**
- 5. No member may serve as an Officer or as a Board member if they have a spouse or child under the employment of the Lake Pines Club, Incorporated.**
- 6. In case of vacancy occurring in any of these offices during the term, the President shall have the power to appoint a member in good standing to fill the vacancy for the**

unexpired term, except that if the vacancy is the office of the President, then the Vice-President shall succeed to the office.

ARTICLE IV - MEETINGS

- 1. The annual meeting of the Lake Pines Club, Incorporated, shall be held during the month March or April at a time and place to be designated by the President. Notice of such meeting shall be made in writing and delivered to each member at least one week in advance of such meeting.**
- 2. There shall be at least one regular meeting of the Board of Directors each quarter, at a time and place to be designated by the chairman of the Board of Directors, with Directors being notified at least one week in advance. A copy of the minutes will be made available to corporation members upon request.**
- 3. Special meetings of either the members or the Board of Directors may be called by the chairman or by a majority of the Board of Directors on request, at a time and place designated by the chairman or by the majority of the board of Directors.**
- 4. A majority of the board of Directors shall constitute a quorum and shall be necessary for actions by the Board of Directors.**

ARTICLE V-DUES

- 1. Annual dues shall be Two Hundred Seventy-Five dollars (\$275.00) per membership and said dues shall be due and payable on or before May 15th of each year. Payment after May 15th (or a date set by the Board of Directors) constitutes a late fee to be paid of Fifty dollars (\$50.00) due before attending the pool.**
- 2. Payment of dues shall entitle the member paying such, and his or her immediate family residing in his or her home, to the full privileges of membership with the exception that there shall be only one (1) vote for each membership.**
- 3. The amount of annual dues cannot be increased without a two-thirds vote of the members of the Board of Directors at a regular or special meeting wherein a majority of the Directors are present. Dues may be lowered by action of the Board of Directors. All annual dues must be paid by the opening of the pool or swimming privileges will be denied. Deadline is opening day for the pool season, or the membership will be canceled.**

ARTICLE VI - EXECUTION OF INSTRUMENTS

- 1. All checks and drafts are to be executed by the Treasurer, who shall be under a \$2,000.00 bond.**
- 2. All contracts, conveyances and instruments are to be executed by either the President or Vice-President and attested by the Secretary.**
- 3. The Board of Directors shall have the power to designate or authorize the officers or agents who shall have the power to execute any other necessary powers on behalf of the corporation.**

ARTICLE VII - USE OF THE POOL

- 1. Use and enjoyment of the pool facilities shall be limited to the members and their guests: guests of members will be admitted to the use and enjoyment of the facilities of the pool at the discretion of the Board of Directors of said pool and shall be admitted with a charge of \$5.00 per guest per day: provided that such guests do not live within ten (10) miles of the site of the pool. A member will be responsible for damages to the pool properties which have been made or caused by said members or their guests. Each membership shall be entitled to a maximum of four (4) guests per day provided a guest fee is paid. Any number of guests over four (4) constitutes a pool party and will need to be scheduled in advance. Abuse of the guest policy will be reviewed by the Board of Directors and may be subject to suspension of**

- membership for a period of time determined by the Board.
2. Membership may be suspended or a member may be expelled for misuse of the pool facilities by a two-thirds vote of the Board of Directors.

ARTICLE VIII - RIGHT TO AMEND BY-LAWS (BY BOARD OF DIRECTORS) 1.

These By-Laws may be amended by a two-thirds majority vote of the Board of Directors, a quorum being present, provided the call for such meeting shall contain a statement that the By-Laws or amendments will be voted upon at such meeting.

ARTICLE IX - COMMITTEES

1. Board of Directors may appoint from the membership a Swimming Pool Committee and such other committees as are necessary for the operation of the pool and its facilities.
2. Pool staff employed by the Lake Pines Club, Incorporated, shall report directly to the President.
3. Board of Directors, upon recommendation of the Swimming Pool Committee, shall have the right to hire and dismiss employees that serve on the pool staff.

ARTICLE X - GENERAL MEMBERSHIP REGULATIONS FOR USE OF POOL

1. Each member shall sign in and register for his/her guest or guests who enter the pool area in the registration book which will be provided for this purpose. If requested by the pool staff, a member must give his/her name and address, which can be checked against the master listing as needed, to provide control of admission.
2. The pool shall be open, as far as is practical, as follows: Monday through Saturday, 10:00am to 8:00pm; Sunday 2:00pm until 6:00pm. The President can designate one hour (9:00am until 10:00am) in the morning when the pool is reserved for class instruction.
3. No child under ten (10) years of age shall be left at the pool without direct supervision of a parent or a person sixteen (16) years of age or older. A non-member, such as a Grandparent or Babysitter (subject to approval by Board) may accompany the child of a member to the pool if the parent is not present at the time. A Grandparent, with the exception of ongoing childcare by the Grandparent for the summer, may bring a visitor on occasion without paying the guest fee.
4. Children under twelve (12) years of age shall not be allowed in the pool after 7:00pm unless accompanied by an adult or guardian.
5. No member shall use the pool or pool area except during the scheduled hours of operation, except for special programs approved by the Board of Directors and held under supervision of the pool staff.
6. Any violation of membership privileges, general rules and regulations shall be reported in writing by the pool manager to the President. Suspensions from use of the pool shall be ordered by the Board of Directors as necessary to enforce the necessary rules and regulations for the safe, efficient operation of the pool. Such suspensions may be appealed to the Board of Directors.
7. Unauthorized use of membership shall result in an automatic suspension of the entire family's pool privileges for a period of three months (to be carried over to the next swimming season if approved by the Board of Directors). Any members violation this rule may appear before the Board of Directors, before automatic , suspension is enforced, to be heard concerning this violation. The Board of Directors, at its discretion, may then modify the suspension.
8. Each new application for membership into the club must be sponsored by two (2) current members in good standing and is subject to approval by the officers and Board of Directors. Applications accepted or denied will be notified in writing.

ARTICLE XI - RULES AND REGULATIONS FOR SAFETY OF ALL SWIMMERS AND BATHERS

- 1. A lifeguard shall be on duty around the pool area at all times when the pool area is open for swimmers, except at such times as the use of the pool is limited to adults only.**
- 2. There shall be no diving except in the designated diving area. There shall be no swimming, except to reach a ladder, in the area restricted for diving from the diving board.**
- 3. General protective discipline shall be enforced. This includes: no running on the concrete around the pool area; no pushing or shoving of other bathers into the pool; no ducking of other swimmers; no "horseplay"; only one person on a diving board at a time; no diving until the previous diver has cleared the immediate area.**
- 4. For safety and health, lifeguards shall direct any swimmer who is showing signs of being chilled or having been in the water too long to remain out of the pool for a minimum of fifteen (15) minutes. Normally no person should stay in the water more than one (1) hour without a rest period.**
- 5. Smoking shall be permitted in all areas except those areas designated as "No Smoking" areas. No food or drink shall be permitted in the pool or on the concrete area adjacent to the pool except in designated areas. No breakable bottles shall be permitted in the pool property.**
- 6. Each swimmer should shower or at least rinse off before going into the pool to prevent carrying loose dirt, sand, or grass into the pool.**

ARTICLE XII - PERSONAL RISK

- 1. All persons using the pool shall do so at their own risk, and the Lake Pines Club, Incorporated, assumes no responsibilities for injury or damage resulting from such use. The responsibility of parents who accompany children to the pool shall continue while said children are in or near the pool.**

ARTICLE XIII - POOL STAFF QUALIFICATIONS AND DUTIES

- 1. The corporation shall employ the following: a pool manager (lifeguard) who is responsible to the President for the total operation of the pool which is included in the By-laws; lifeguards, who are responsible to the pool manager for duty assignments (in the absence of the pool manager, a lifeguard shall be appointed by the pool manager to be in charge of the pool and assume the responsibility of the manager); extra lifeguards, may be employed as needed by the pool manager, with the approval of the President, to work on weekends and holidays and other periods when the swimmer load is unusually heavy.**
- 2. Qualifications of the Pool Staff: manager-minimum age shall be eighteen (18) years; shall hold a current Red Cross Water Safety Instructor Certificate and must have at least a Red Cross Lifesaving Certificate or Instructors Certificate; must be dependable and of good moral character. Extra lifeguards-minimum qualifications shall be the same as for a regular lifeguard.**
- 3. Duties of the Pool Staff: The safety and health of the members and guests using the pool is the primary job assignment. Rules and regulations for the use of the pool must be enforced. Pool staff shall be responsible for the opening, closing, and general cleaning of the pool and pool area. Pool staff shall be in charge of the instructional program in swimming and lifesaving as planned by the pool committee. The pool manager shall be responsible for the proper operation of the**

pool filters and maintaining a good supply of water at all times. The Board of Directors may employ an outside qualified person to supervise the daily chemical checks of pool water and proper operation of the filters and use of chemicals. Admission of members only and their guests of the Lake Pines Club, Incorporated, shall be a responsibility of the pool staff.

ARTICLE XIV - CORPORATE SEAL

The corporate seal of the corporation shall consist of two concentric circles between which is the name of the corporation and in the center of which is inscribed the word SEAL: and such seal, as printed on the margin thereof, is hereby adopted as the corporate seal of the corporation.

ARTICLE XV - POWER TO BORROW MONEY

The Board of Directors shall have the power for corporate purposes to borrow money; and from time to time, make, accept, indorse, execute, and issue bonds, debentures, promissory notes, or any of the other objects or purposes of the corporation, and to secure payment of any such obligation by mortgage, pledge, deed, agreement, or other instrument of trust, or by other lien upon, all or any part of the property, rights, or pledges of the corporation wherever situated, whether now owned or hereinafter to be acquired.

ARTICLE XVI - ALCOHOLIC BEVERAGES

Alcoholic beverages are prohibited on pool property.

ARTICLE XVII - AMMENDMENTS

- 1. All lifeguards will be sixteen (16) years of age or older, including substitutes.**
- 2. No members of the Board of Directors' families shall be employed by Lake Pines Club.**
- 3. The Board of Directors has the power to decide whether or not the Treasurer needed to be bonded and this could be reconsidered each fiscal year.**
- 4. Former members whose memberships have lapsed and are wanting to rejoin the pool shall pay half of the initiation fee if renewed within five years of its lapsing and if there is a vacancy. After five years, the former members would pay the full initiation fee.**
- 5. The initiation fee may be paid in three annual installments instead of two.**