

**ARTICLE I. NAME**

The name of this organization is the MANDAN TENNIS BOOSTER CLUB.

**ARTICLE II. PURPOSE**

**Section 1.** The MANDAN TENNIS BOOSTER CLUB shall exist for the purpose of broadening the involvement of students, student's families, and the school, through support for all Mandan tennis activities. The booster club works to achieve this, through active participation of as many parents and supporters as possible in the MANDAN TENNIS BOOSTER CLUB and, working closely with the tennis coaches, and administration of the Mandan Public School District as follows:

1. To promote the boys and girls varsity and junior varsity tennis teams of Mandan High School and the Mandan Middle School program.
2. To promote youth tennis in Mandan with the goal of creating lifelong players.
3. To supplement and enhance the tennis programs and to augment the funding provided by the Mandan Public School District through fund raising and other means.
4. To support the coaches and players of the tennis programs.
5. To bring together girls and boys tennis players, families, coaches and fans.
6. To encourage parents and the community to support our tennis program.

**Section 2.** The MANDAN TENNIS BOOSTER CLUB is organized and created solely and exclusively for the above stated purposes.

**ARTICLE III. POWERS**

**Section 1.**  In furtherance of the above stated purpose of the MANDAN TENNIS BOOSTER CLUB, but not in limitation thereof, the MANDAN TENNIS BOOSTER CLUB shall have the following powers:

1. To undertake and promote activities through the use of volunteer services and other means to raise funds to support youth participation in boys and girls tennis.
2. To acquire tennis equipment, uniforms, and any other property necessary and suitable to carry out the MANDAN TENNIS BOOSTER CLUB's purpose;
3. To obtain contributions, donations, gifts, bequests, grants pledges, devices and funds from similar sources, from individuals, corporations, trusts, foundations, partnerships, estates, and other organizations or groups to support the MANDAN TENNIS BOOSTER CLUB's purpose;
4. To accept, purchase, own, hold, lease, rent, manage, sell, and otherwise use and

enjoy real and personal property of all kinds, consistent with the MANDAN TENNIS BOOSTER CLUB's purpose, and in connection therewith, to acquire, construct, maintain, and operate buildings and equipment, and any other real or personal property deemed necessary or convenient to the MANDAN TENNIS BOOSTER CLUB in achieving its purposes;

1. To enter into contracts, borrow money, mortgage, or otherwise encumber the MANDAN TENNIS BOOSTER CLUB's property to secure payment thereof;
2. To appoint agents and to hire employees in connection with MANDAN TENNIS BOOSTER CLUB's affairs, and to fix their compensation;
3. To do any and all things necessary to carry out the MANDAN TENNIS BOOSTER CLUB's purposes and objectives consistent with and limited to those allowed under the charitable and educational purposes of Section 501(c)(3) of the United States Internal Revenue Code and Chapter 10-33 of the North Dakota Century Code, also known as the North Dakota Non-Profit Corporation Act; and
4. The foregoing statements of specific powers do not restrict or limit the MANDAN TENNIS BOOSTER CLUB's general powers, or their exercise or enjoyment, as they are expressly or impliedly granted by the North Dakota Non-Profit Corporation Act, except those powers not in furtherance of exempt purposes under Section 501(c)(3) of the Internal Revenue Code.

**Section 2.** The exercise of MANDAN TENNIS BOOSTER CLUB's stated, expressed and implied powers is subject to the following prohibitions:

1. No part of the MANDAN TENNIS BOOSTER CLUB's earnings or assets shall insure the private benefit of or be distributed to its officers or directors. The MANDAN TENNIS BOOSTER CLUB shall be authorized and empowered, however, to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the MANDAN TENNIS BOOSTER CLUB's purpose to officers, directors, and members, upon full disclosure to and approval of the MANDAN TENNIS BOOSTER CLUB's board of directors.
2. No part of the MANDAN TENNIS BOOSTER CLUB's activities shall consist of carrying on propaganda or otherwise attempting to influence legislation, nor shall the MANDAN TENNIS BOOSTER CLUB participate in or intervene in any manner to any extent, including the publishing or distribution of statements, in any political campaign on behalf of any candidate for public office; and
3. The MANDAN TENNIS BOOSTER CLUB shall not engage in any activities that are unlawful or are prohibited under federal, state or local laws.

**ARTICLE IV. MEMBERSHIP**

**Section 1.** Anyone who is a City of Mandan resident, who has a child attending any school within the City of Mandan, or who is a Mandan Alumnus is eligible to become an active member of the MANDAN TENNIS BOOSTER CLUB, upon payment of the annual membership dues.

**Section 2.** Each MANDAN TENNIS BOOSTER CLUB Board of Director is entitled to vote on each matter submitted to the MANDAN TENNIS BOOSTER CLUB’s membership. MANDAN TENNIS BOOSTER CLUB Board of Directors are the sole voters on subject matters submitted to the MANDAN TENNIS BOOSTER CLUB membership.

**Section 3.**  Annual membership shall commence on September 1 and terminate on August 30 of the following year.

**Section 4.** MANDAN TENNIS BOOSTER CLUB Board of Directors, voting or other privileges shall not be transferable.

**ARTICLE V. DUES**

**Section 1.** The annual dues required to be paid for membership in the MANDAN TENNIS BOOSTER CLUB shall be determined by a majority vote of the MANDAN TENNIS BOOSTER CLUB Board of Directors in attendance at the annual meeting in September.

**ARTICLE VI. BOARD OF DIRECTORS AND OFFICERS**

**Section 1.** The MANDAN TENNIS BOOSTER CLUB Board of Directors shall consist of a President, Vice President, Secretary, Treasurer, and appointed Trustees who shall serve as Officers of the Organization. They shall comprise the MANDAN TENNIS BOOSTER CLUB's Board of Directors and shall manage the affairs of the MANDAN TENNIS BOOSTER CLUB. Each appointed Officer must be active members of MANDAN TENNIS BOOSTER CLUB.

**Section 2.** The directors shall be elected to serve two year terms commencing at the September meeting of that year following the election. Election of directors shall occur at the annual meeting of the MANDAN TENNIS BOOSTER CLUB's general membership in September of each year, with nominations of the directors for the four officer positions of a president, a vice-president, a secretary, a treasurer and trustees made in August. Directors shall be nominated and elected at large. The secretary shall declare the person receiving the highest number of votes for each officer position to be elected as directors and such officer to the MANDAN TENNIS BOOSTER CLUB. Such a declaration shall be entered into the minutes of the meeting.

**Section 3.** If any director at any time after being elected is unable to carry out their duties, resigns, or ceases to have the qualifications provided for herein, then this directorship shall become immediately vacant, without action other than to note such fact in the minutes of the board. In such event, or in case of a vacancy created by any other circumstances, the remaining directors at any meeting of the board of directors, regular or social, shall elect some person with the necessary qualifications to act as direction to fill such vacancy and to serve as director for the unexpired term of the retiring director.

**Section 4.** No director shall receive compensation for service as a director or officer. However, the board shall have the authority to compensate persons, including directors, for services rendered to or contracted for by the MANDAN TENNIS BOOSTER CLUB, which services are outside the scope of the normal and usual duties of a director and to reimburse directors for reasonable expenses incurred for MANDAN TENNIS BOOSTER CLUB purposes. When a motion concerning such compensation or reimbursement is brought before the board of directors the individual director effected shall not vote on the motion.

**Section 5.**  All nominations for vacant positions on the board and corresponding officer position shall be presented at the monthly meeting in July of each year. Any MANDAN TENNIS BOOSTER CLUB members may make nominations from the floor at the August meeting.

**Section 6.** There must be a quorum of at least half of the board members present to approve any MANDAN TENNIS BOOSTER CLUB business or operation. All approval shall be by a majority vote.

**Section 7.** The directors and officers shall not be personally liable for the debts, liabilities, or other obligations of the corporation.

**Section 8.** The directors and officers of the corporation shall be indemnified by the corporation to the fullest extent permissible under the laws of this state.

**ARTICLE VII. DUTIES OF OFFICERS**

**Section 1.** It shall be the duty of the president:

1. To preside at all meetings of the MANDAN TENNIS BOOSTER CLUB and of the board of directors;
2. To see that the Bylaws, rules, and regulations of the board are enforced;
3. To appoint all committees;
4. To have general supervision over all the affairs of the MANDAN TENNIS BOOSTER CLUB and the employees thereof;
5. To serve as a member ex-officio of all committees;
6. To sign all written contracts entered into by the MANDAN TENNIS BOOSTER CLUB, unless some other person be designated to authorized by the board of directors;
7. To serve as official spokesperson for the MANDAN TENNIS BOOSTER CLUB.

**Section 2.** The vice-president shall have all the powers of the president when, for any reason, the president is unable to act. If the president and vice-president are absent or unable to act, the board of directors shall designate one of its members to act as such, and such acting president shall perform the duties of the president.

**Section 3.** Itshall be the duty of the secretary:

1. To keep a current record of all proceedings of the board of directors and of the meetings of the members;
2. To give all notices to members or directors; however, the president may designate any other person to give any such notices;
3. To perform such other duties as may be required by the board of directors; and
4. To maintain the official correspondence and, with the assistance of the treasurer, to maintain the active membership list of the MANDAN TENNIS BOOSTER CLUB;

**Section 4.** It shall be the duty of the treasurer:

1. To receive all money from dues or any other source coming to the MANDAN TENNIS BOOSTER CLUB and to deposit the same as may be directed by the board;
2. To render to the president and board of directors at each meeting of the board and membership, an itemized statement showing the condition of the MANDAN TENNIS BOOSTER CLUB's financial affairs.
3. To have general charge of the books of accounts and records of the MANDAN TENNIS BOOSTER CLUB; and
4. To maintain the official active membership list of the MANDAN TENNIS BOOSTER CLUB with the assistance of the secretary.

**Section 5.** It shall be the duty of the trustees:

1. To chair such committee as is created and appointed to by the president; and
2. To report to the president and board at each meeting of the board and membership as to the status and activities of such committee.

**ARTICLE VIII. FINANCE**

**Section 1.** The board of directors may provide for an annual audit of the MANDAN TENNIS BOOSTER CLUB's operation and the report of such audit, if made, shall be available for the MANDAN TENNIS BOOSTER CLUB membership.

**Section 2.** The MANDAN TENNIS BOOSTER CLUB's fiscal year shall begin on September 1 and close on August 31 of the following year.

**Section 3.** All expenditures of the MANDAN TENNIS BOOSTER CLUB must be signed by one eligible officer. There shall be four officers eligible to sign checks for the MANDAN TENNIS BOOSTER CLUB who shall be the president, the vice-president, secretary and treasurer.

**Section 4.** The Board of Directors must approve by majority, all expenditures and bank statements of the MANDAN TENNIS BOOSTER CLUB.

**ARTICLE IX. COMMITTEES**

The president shall appoint any committees deemed by the MANDAN TENNIS BOOSTER CLUB, or its board of directors, to be necessary for the accomplishment of the MANDAN TENNIS BOOSTER CLUB's purposes. The active committees may include a Membership Committee, Tournament/Camps Committee, Fund Raising Committee, Communications/Website Committee, Concessions Committee, Special Events Committee (e.g. team parent, banquets, etc.), and any other committees as created to accomplish the MANDAN TENNIS BOOSTER CLUB's purposes. At least one member of each committee shall be selected from the board of directors. Each committee so appointed shall provide a report of its actions at each monthly meeting. The president shall formally disband each committee upon the completion of its duties.

**ARTICLE X. MEETINGS**

**Section 1.** The membership of the MANDAN TENNIS BOOSTER CLUB shall meet monthly with the exception of December and January as determined by the board at the annual meeting, and at such other times as called by the board of directors.

**Section 2.** Special meetings may be called at any time.

**Section 3.** The board of directors shall meet monthly, with the exception of December and January, at the same time as the general membership meeting of the MANDAN TENNIS BOOSTER CLUB, or at any special meeting.

**Section 4.** Notice of the place and time of all meetings of the MANDAN TENNIS BOOSTER CLUB and of the board of directors shall be available to all members of the MANDAN TENNIS BOOSTER CLUB a reasonable period of time in advance of each meeting which may be by any means (e.g. website, social media, etc.) unless otherwise directed by the membership. All board of directors meetings shall be open to attendance by the members of the MANDAN TENNIS BOOSTER CLUB.

**ARTICLE XI AMENDMENTS**

The constitution and bylaws may be amended, repealed, or re-enacted, or new bylaws adopted in addition hereto at any meeting of the MANDAN TENNIS BOOSTER CLUB's membership by the vote of a simple majority (51%) of the members present at such meeting, provided that notice of the intention to amend, repeal, re-enact, or adopt bylaws or bylaws, and the nature of such change is given at the previous meeting of the MANDAN TENNIS BOOSTER CLUB membership and in any notice required to be given herein.

**ADOPTION OF CONSTITUTION AND BYLAWS**

The undersigned hereby state and acknowledge that at the May, 2017 monthly meeting notice of the intention to adopt these bylaws was provided, as required. Therefore, the Constitution and bylaws of the Mandan Tennis Booster Club are hereby adopted and approved by a two-thirds vote of the active members present this 10th day of May, 2017.

President Vice President

Secretary Treasurer

Trustee (Girls Team Representative) Trustee (Boys Team Representative)

Adopted Date: 05/10/2017