

CANAL WINCHESTER JOINT RECREATION DISTRICT BOARD OF TRUSTEES CONSTITUTION AND BYLAWS

ARTICLE I – NAME AND POWERS

The name of the entity is the Canal Winchester Joint Recreation District. Hereinafter referred to as the "District" which was created by Agreement of the City of Canal Winchester (hereinafter referred to as the "City") and the Canal Winchester Local School District Board of Education (hereinafter referred to as the "School District") as a joint recreation district under the applicable provisions of Chapter 755, Parks; Recreation, of the Ohio Revised Code .

The District's Board of Trustees, hereinafter referred to as the "Board," shall possess and exercise such powers as authorized under Sections 755.12 through 755.18 of the Ohio Revised Code and as related to the District's purpose and as stated in the creating Agreement. The purpose of the Board shall be to oversee the activities of the District, consistent with the District's purpose. All day to day operations are the responsibility of the Recreation Director.

ARTICLE II- DISTRICT PURPOSE

The purpose of the District is to administer programs, which provide athletic and recreational opportunities for the welfare and physical development of the residents of the Canal Winchester School District as well as those of the City of Canal Winchester as well as those in surrounding areas. The District is to promote the concept of sportsmanship and develop sportsmanlike attitudes toward competition.

ARTICLE III – BOARD OF TRUSTEE MEETINGS

Section 1: Regular meetings of the Board of Trustees shall be held every month. Meetings will be held on the third Thursday of the month. The Board shall hold an organizational meeting at its first meeting of each year, which will be held on the third Thursday in January of each year. At the organizational meeting, the Board set the date, time and location of its regular meetings for the ensuing year and shall also elect its two (2) officers to serve for the ensuing year.

Section 2: Special meetings may be called by the Chairperson as the need arises, or by the request of two (2) or more Board members. The purpose or purposes of the special meetings must be stated when the meeting is called and action may be taken only on those items. There must be 24-hour public notice given, and notice must also be given specifically to all Board members in order

for a special meeting to be called and action taken to be official.

Section 3: Under the Ohio Sunshine law, Ohio Revised Code 121.22, at informal gatherings of three (3) or more Board members where no public notice has been given of a meeting of the Board, no District business will be discussed.

Section 4: No items can be acted upon at any meeting except setting another meeting or adjournment unless a quorum is present. A quorum shall be three (3) members.

Section 5: All meetings shall be conducted following Robert's Rules of Order, unless otherwise specified in the Constitution.

Section 6: During any regular meeting any Board member can make a motion to adjourn to executive session for the purposes of discussing one or more of the following subjects:

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official;
- B. investigation of charges or complaints against a public employee, official, or licensee unless such individual requests a public meeting. The only exception being the consideration of the discipline of a Board member for conduct related to the performance of his/her Board duties or his/her removal from office shall be held in public session; not in executive session;
- C. consideration of the purchase of property or sale of property at competitive bidding;
- D. discussion with the Board's legal counsel of disputes involving the Board that are the subject of pending or imminent court action;
- E. matters required to be confidential by Federal law or rules or State statutes;
- F. specialized details of security arrangements where disclosure might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of law.

No action may be taken in executive session. During any special meeting, a motion to adjourn to executive session may only be made if an executive session was included in the public notice of the special meeting; and then only for the purposes as stated in that public notice.

ARTICLE IV - ORDER OF BUSINESS

The following is the order of business for regular meetings:

1. Call to Order
2. Roll Call
3. Approval of minutes
4. Guest or Speakers
5. Reports of Officers, Boards, Commissioners
6. Old Business
7. New Business
8. Adjournment

ARTICLE V - MEMBERSHIP, TERMS OF OFFICE, AND DUTIES

Section 1: Membership and Terms of Office

The Board shall consist of five (5) voting members. One (1) voting member will be appointed at large by the existing Board and will be representative of the communities served by the District. The one (1) at large Board member will serve a term of one (1) year. The other four (4) voting members will be appointed: two (2) by the City Council of the City of Canal Winchester and two (2) by the Canal Winchester Local School District Board of Education. The at large position will be advertised each November for appointment the following year.

For the initial appointment term commencing January 2014, one (1) member appointed by the City and one (1) member appointed by the School District will each serve a term of one (1) year. The other one (1) member appointed by the City and the other one (1) member appointed by the School District will each serve a term of two (2) years.

Upon the expiration of the initial appointment terms stated herein, the two (2) members appointed by the City and the two (2) members appointed by the Board shall each serve staggered terms of two (2) years.

All members of the Board must reside in either the Canal Winchester School District or the City of Canal Winchester.

No member of the Board, while serving on the Board, shall receive any financial benefit whatsoever from service on the Board or to the District in general.

Section 2: Duties of Officers

- A. Chairperson: The Chairperson shall have charge of and shall preside at all meetings of the Board and shall perform all duties incidental to such an office and such other duties as may be required. It shall be the Chairperson's duty to open and close all meetings of the Board.

The Chairperson shall function as the chief executive officer of the District and as such shall be responsible for the oversight of the District's other officers Board members and appointees in the performance of their respective functions. The Chairperson shall also be responsible for the general oversight of all day to day operations of the District.

In between official meetings of the Board, the Chairperson is deputized to act on behalf of the Board with respect to any necessary operational needs, functions and concerns of an urgent nature (with the exception of matters that are purely personnel-related, including volunteers and/or athlete participants) that cannot wait to be handled until the next Board meeting. In addition, in between official meetings of the Board, the Chairperson is authorized to execute financial matters on behalf of the Board that are de minimis in nature (less than \$2,500 in value).

- B. Vice Chairperson:

The Vice Chairperson shall perform all duties of the Chairperson on an interim basis in case of his/her absence; and shall oversee the implementation and enforcement of the District's Code of Conduct, including but not limited to investigations, sanctions, penalties and all processes related thereto before ultimate appeal to the Board. The Code of Conduct shall go through the Recreation Director.

Section 3: Duties of Members

All members shall attend all scheduled meetings of the Board and shall come prepared to discuss all items before the Board at each scheduled meeting. Board members who are absent from any scheduled meeting of the Board shall seek approval of such absence from the Chairperson. Any Board member with three (3) or more unapproved absences may be subject to discipline, including removal and/or sanction, as determined by a majority of the remaining Board members.

Section 4: Duties of Board

The duties of the corporate Board are as stated in the creating Agreement.

ARTICLE VI - RECREATION DISTRICT SERVICE PROVIDERS

- Section 1: A. Referees/ Officials/ and Umpires: selected by Commissioners pursuant to established guidelines of the Board; then submitted by Commissioners to Board for approval. The fees shall be set prior to each season by the Board. Referees, officials and umpires, in their professional independent contractor capacity, will be responsible for games being played by league rules; shall maintain discipline among teams,

coaches, and spectators; shall have the right to take action against unruly individual(s) up to and including forfeiture of the game; shall have the responsibility of postponing and/or canceling the game due to adverse weather condition or field conditions.

B. Requests for referee and/or coaches fees should show each person's name, address, date of birth, social security number, game dates and amounts owed. Payments will be made by the Fiscal Officer.

Section 2: Coaches: because of the special nature of some sports, professional fees may be paid to coaches for the performance of independent contractor services. In such cases, these coaches will be selected by Commissioners of each sport pursuant to established guidelines of the Board; then submitted by Commissioners to Board for approval. These fees will be set and/or approved by the Board prior to each season.

ARTICLE VII – RECREATION DISTRICT EMPLOYEES

Section 1: Employees: the Board shall employ a Recreation Director, Field Maintenance Worker(s), and Concession Stand Worker(s) (as needed). The Chairperson, acting on behalf of the Board, shall oversee all such District employees in the performance of their respective positions with the District. The Recreation Director shall oversee Field Maintenance Workers and Concession Stand Workers reporting to the Chairperson.

Section 2: Job Descriptions: the Board shall approve job descriptions (and any revisions thereof) for each employee classification in the District. Copies of applicable job descriptions shall be provided to each District employee upon hire.

Section 3: Employee Handbook: the Board shall approve an Employee Handbook which will serve as the policy manual of the Board with respect to employment with the District. A copy of the Employee Handbook shall be provided to each District employee upon hire.

Section 4: All employment-related actions shall only be by official action of the Board; except that the Recreation Director shall have authority to hire concession stand workers, as-needed, subject to final approval by the Board.

ARTICLE VIII - ELECTION OF COMMISSIONERS, COACHES, ASSISTANTS

Section 1: Commissioners: The Chairperson shall appoint the Commissioners subject to approval by the Board. The term of office shall be for one year. At the end of the term if Commissioners desire they may be reappointed for another term subject to the approval of the Board. The Commissioners are responsible for the following duties and shall perform all other duties as may be required by the Chairperson or the Board. Commissioners must submit a letter of intent every November of the calendar year. The Board must then approve the commissioner.

A. Assist with arranging sport registrations and advising the Board of all sign-up dates and times.

B. Organizing fair drafting procedures¹ scheduling games and locations for said games, with approval of the Board.

- C. Attending meetings of the District Board and Operations Committee as required, and providing information so the Board can make informed decisions on the programs under its supervision. Mandatory when the sport is in season, which includes preregistration to close of the season.
- D. Soliciting of coaches/assistants pursuant to District guidelines and subject to approval by the Board.
- E. Working with Fiscal Officer and Recreation Director to create annual budget request to be submitted to the Board at the regular May meeting for recommendation of approval by the Board.
- F. Commissioners are responsible for processing requests for referee and/or coaches fees should show each person's name, address, date of birth, social security number, game dates and times before the season begins.
- G. Furnishing the Board with a schedule of game dates and times before the season begins.
- H. Collecting all equipment within fifteen (15) days at the end of each sport season, storing it in appropriate facility, and furnishing the Board with a written report of the inventory and its condition. Collecting all equipment within tens (10) days.
- I. Deliver to the Board all documents and other information pertaining to the sport and the running of the sport at the end of the current commissioner's term if reappointment is not desired or approved.
- J. Working with incoming Commissioner to make sure all information is shared to provide for a smooth transition.
- K. Following a written program for each level of play for your sport. This written program should explain what is being taught to the participants by coaches (fundamentals, etc.) for each level of play.
- L. Work collaboratively, cooperatively and professionally at all times with other fellow Commissioners of other sports to ensure common values of the District are reflected in all programs/sports.
- M. Successfully complete all required background check and concussion law training as required.
- N. Complying with the District's Code of Conduct at all times.

Upon request and approval of the Board, Commissioners may be permitted to receive a waiver of participation fees for themselves and for their dependents for so long as they provide services to the District.

Section 2: Coaches Responsibilities

As outlined in the District's coaches policy.

Upon request and approval of the Board, Sports Director may be permitted to receive a waiver of participation fees for one (1) dependent only, for each sport/activity for which the unpaid Coach provides coaching services to the District only, for so long as the unpaid Coach provides such services to the District.

Section 3: Assistants shall help the coach in all aspects of the game and in the absence assume his/her duties.

ARTICLE IX- RESIGNATION AND REMOVAL

Section 1: All officers, appointees, ~~contractors, employees, volunteers,~~ or Board members shall have the right of resignation at any time. Written notice of resignation must be given to the Chairperson and considered by the Board at the next meeting.

Section 2: Any officer, appointee, ~~contractor, volunteer~~ or employee of the Board who commits any acts of misfeasance, malfeasance, or neglect in the performance of his/her duties shall be removed by the Board and may be prohibited from participating in any way in all programs administered by the Board. Written notice stating the reason for removal shall be filed with the Chairperson and the individual being removed. If a complaint regarding such removal is filed with the Board, it will be heard by the Board as soon as practical, preferably at the next regular meeting. Affirming removal of an employee, officer or appointee shall require at least four (4) votes of the Board.

Section 3: After resignation or removal of an officer or appointee of the Board, the Board will advertise for a candidate to fill the vacancy. The position will be filled with a qualified candidate; that has filed a letter of interest addressed to the Chairperson. The Board at its next meeting (either regular or special) will affirm by majority vote the candidate to serve the remainder of said term.

ARTICLE X – FISCAL OFFICER: REVENUE, FINANCES, AND EXPENDITURES

Section 1: Fiscal Officer: The Fiscal Officer shall keep a complete and accurate record of all monies received and distributed by the Board and maintain this record in the ledger provided by the Board; shall act as purchasing agent: sign all purchase orders drawn against the funds of the Board; then disburse all funds upon approval of the Board; shall furnish a financial statement at each regular meeting, to include but not limited to all income and expenditures; shall be in charge of fund raising activities of the Board; and maintain records and arrange for audits in accordance with all government requirements; and shall prepare and file all necessary budgets and appropriations for the District as required by law.

Section 2: The overall budget for the District will be prepared on an annual basis by the Fiscal Officer and will be reported on by the Fiscal Officer as requested by the Chairperson. Budgets for each individual sport are set by the amount of revenue generated by the individual sport. Planning budgets are filed with the Board at the regular November meeting. Following review by the

Board, the planning budgets are then distributed to each Commissioner.

- Section 3: This Joint Recreation District shall exercise all power and authority of a joint park district under Sections 755.12 to 755.18 of the Ohio Revised Code, without limitation, the Issuance of bonds under Section 755.17 and the submission of a tax levy within Canal Winchester or the Canal Winchester Local School District under Section 755.18.
- Section 4: All revenue and expense shall be tracked and recorded in a ledger kept by the Fiscal Officer. All financial records of the District shall be subject to annual audit.
- Section 5: Only those persons authorized by the Board may collect and/or solicit sponsorship fees. Sponsorship fees shall be set in November during the budget review and approval process.
- Section 6: No person shall solicit funds in the name of the Board from any person or business for any project or reason unless said person(s), project, and/or reason has first been approved by the Board.
- Section 7: The Board must approve all fund raising activities that are in any way affiliated with the Board, the District and/or its operations. Once approved by the Board, any such fundraising activities must be in accordance with the District's guidelines.
- Section 8: Proceeds from fund-raising activities by and for each individual sport will be turned into the Fiscal Officer and recorded and reserved for that sport in the Joint Recreation Districts' account once accepted by the Board. Commissioners shall provide the Fiscal Officer with a ledger or record of fund raising monies received and spent along with receipts. All sponsorship fees collected must be turned into the Joint Recreation District Fund. Monies from fund-raising activities by and for the Board will be used to contribute to the overall Board budget.

ARTICLE XI- REGISTRATION FEES AND ELIGIBILITY REQUIREMENTS

- Section 1: Registration fees for each sport shall be determined and approved by the Board at each regular December meeting.
- Section 2: Refunds will be processed in accordance in the District's Refund Policy.
- Section 3: Refunds of registration fees after the draft and/or equipment/uniform purchases will require recommendation by the Commissioner and approval by the Board. Refunds will be processed in accordance in the District's Refund Policy.
- Section 4: To participate in the Canal Winchester Joint Recreation District programs,

persons must reside within either the City of Canal Winchester or the Canal Winchester Local School District or surrounding city. Acceptance, rejection, and/or dismissal are the sole responsibility of the Board.

Section 5: There will be no sign-ups after the day of the draft, except to fill the team quota.

Section 6: If the District provides comparable boys' and girls' sports programs, individuals are encouraged to participate on same sex teams. If no comparable program is available, girls or boys are permitted to play on either boys or girls teams.

ARTICLE XII - SELECTION OF PLAYERS

Section 1: Shall be done according to our Drafting Policy.

ARTICLE XIII - SEASON START-UPS AND COMPLETIONS

Section 1: Approximate start and end dates vary by program. Some programs start and completion dates run parallel. Each Commissioner is responsible for working with Commissioners of other sports that coincide or run parallel to their program to ensure there are no conflicts in practice and/or game schedules, times, etc. Start and completion dates should remain consistent for each sport every year and/or season.

ARTICLE XIV - EQUIPMENT

Section 1: All equipment and uniform purchases shall be recommended by the appropriate Commissioner and approved by the Board before funds are issued. The Commissioner will submit all equipment/uniform inventories to the Board. No one may loan out or give away equipment for the approved sports, unless approved by the Board. The Board shall determine the manner of disposal of unusable equipment and/or uniforms.

- A. All equipment shall be recommended by the appropriate Commissioner and approved by the Director and Financial Advisor before the funds are issued. The Commissioner will submit all equipment inventories to the Director. No one may loan out or give away equipment for the approved sports, unless approved by the Board. The Board / Director shall determine the manner of disposal of unusable equipment.
- B. All uniforms will be presented to the appropriate Commissioner by the Director and will be approved by the Financial Advisor. Uniforms are to remain within their budget that is approved in the December budgets.

Section 2: Access to the Board's secured storage areas will be given only to persons

approved by the Board. The keys will not be loaned, given to, or placed in any other person's possession.

ARTICLE XV - CODE OF CONDUCT

See Code of Conduct Policy

ARTICLE XVI - SAFETY

1. Coaches should make a reasonable effort to provide for the safety of team players at any and all planned activities.
2. Coach or assistant shall have knowledge at all times of player's whereabouts.
3. All appointees and employees shall be responsible for the safety of players as pertains to adverse weather conditions.
4. In the event of a tornado warning (siren), all play will cease and the premises vacated immediately.
5. Drivers shall transport players in a safe and legal manner.

ARTICLE XVII - AMENDMENTS

Section 1: Alterations and amendments to the constitution and bylaws shall be presented, in writing, to the Board. A two-thirds (2/3) majority vote of the Board shall be required to make said changes or amendments effective.

ARTICLE XVIII - IMPLEMENTATION

Section 1: All Board members, appointees, ~~contractors, volunteers, employees, officers~~ and service providers of the Canal Winchester Joint Recreation District will follow the constitution and bylaws at any and all sport events sanctioned by the said Board.

ARTICLE XIX - GRIEVANCE PROCEDURES

Section 1: If any participant, parent, coach or commissioner has a complaint that is external to the District and is against any individual(s) so named, or any procedure, or play associated with any program sponsored by the Canal Winchester Joint Recreation District, and if that complaint cannot be resolved by the parties involved, then either party to the complaint may file a grievance with the Board. Any such grievance must be submitted in letter form within 30 days of the date of the original dispute, provide a complete account of the dispute and must be signed by the individual(s) filing the grievance. The letter shall be addressed and sent to the address of the Board.

Section 2: All grievances shall be considered by the Board at their next scheduled

meeting or earlier if a special meeting is called. Any member of the Board that is a party to the dispute shall recuse themselves from ruling on the grievance. A quorum of the Board is required to hear and rule on the grievance.

ARTICLE XX – CHAIN OF COMMAND

- Section 1: Internal Complaints that are between employees, appointees, and/or volunteers; or complaints that are directly related to the operations of the District (including but not limited to financial, oversight, and/or personnel-related) shall be brought first to the Recreation Director. If not able to be resolved at that level, then to the Chairperson of the Board, who will advise the Board accordingly and advise the Complainant of processing steps at the Board level.
- Section 2: Internal Complaints that are concerning a Board member or officer; or a direct function of the Board shall be brought to the attention of the Chairperson of the Board who will advise the Board accordingly and advise the Complainant of processing steps at the Board level.

ARTICLE XXI – BOARD COMMITTEES

- Section 1: The Board may, by majority vote, establish any committees necessary to effectuate the purposes of the District and/or Board. This includes, but is not limited to, committees for finance, operations, fee waivers, and the like. Such committees will exist for so long as determined by official action of the Board. Board members may serve on such committees, provided no more than two (2) Board members serve on any one (1) committee at one time.

The Committee will be comprised of a total of three (3) members. The Committee will be chaired by the District's Recreation Director, who will be a permanent member of the Committee. The Board will appoint the other two (2) members to the Committee who will each serve a term of one (1) year; and who shall report directly to the Recreation Director as Chair of the Committee. This Committee may be required to provide reports to the Board, as requested by the Board.

The Constitution of the Canal Winchester Joint Recreation District have been Voted on and approved on this 18th day of January , 2018. The terms and provisions of these By-Laws and Constitution shall become effective and operative upon the official formation of this Joint Recreation District.

Will Bennett, Chairperson

Jill Amos, Board Member

Matt Krueger, Vice Chairperson

Kim Fansler, Board Member

Jon Metzler, Board Member