



500 West Big Beaver  
Troy, MI 48084  
troymi.gov



## CITY COUNCIL AGENDA ITEM

Date: January 3, 2023

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager  
M. Aileen Dickson, City Clerk

Subject: Request for Recognition as a Nonprofit Organization from Athens Strength Boosters

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### **History**

Attached is a request from Athens Strength Boosters seeking recognition as a nonprofit organization for the purpose of obtaining a charitable gaming license for fundraising purposes.

### **Financial**

There are no financial considerations associated with this item.

### **Recommendation**

It has been City Management's practice to support the approval of such requests.

**Athens Strength Boosters**  
**4333 John R. Road**  
**Troy, MI 48085**

January 3, 2023

Ethan Baker and Troy City Council  
500 W. Big Beaver  
Troy, MI 48084

Dear Mayor Baker and City Council members:

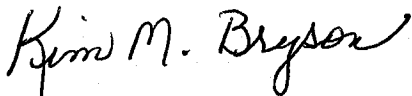
Please accept this letter as a request from the Athens Strength Boosters to be recognized as a non-profit organization for the purpose of obtaining a gaming license.

Our newly authorized 501(c)3 organization supports the Powerlifting Club and Strength and Conditioning program at Athens High School. The groups are supervised by Nicholas Lusk, a physical education teacher at Athens High School. The mission of these programs is to provide student-athletes with well-rounded and scientifically-based powerlifting, strength and conditioning programs in order to safely enhance their overall athletic performance while reducing their risk of injury along with developing an atmosphere that builds team work, respect for others, mental toughness, discipline, and develops high character individuals through rigorous physical and mental training.

Our goal is to support the operations of these groups of students through providing volunteer support and raising funds for needed equipment and supplies.

As such, please find included herein the documents required for your consideration of this application. We respectfully request that the enclosed resolution for charitable gaming license be completed at your scheduled meeting to be held on January 9, 2023. Please return the completed resolution to our treasurer, Kim Bryson via email at [athensstrength.treas@gmail.com](mailto:athensstrength.treas@gmail.com). She can also be reached for questions via telephone at 248-709-1438.

Sincerely,



Kim M. Bryson  
Treasurer

**Streamlined Application for Recognition of Exemption  
Under Section 501(c)(3) of the Internal Revenue Code**

Do not enter Social Security numbers on this form as it will be made public.

Information about Form 1023-EZ and its separate instructions is at [www.irs.gov/form1023](http://www.irs.gov/form1023)**Note:** If exempt status is approved,  
this application will be open for  
public inspection.

☒ **Check this box to attest that you have completed the Form 1023-EZ Eligibility Worksheet in the current instructions, are eligible to apply for exemption using Form 1023-EZ, and have read and understand the requirements to be exempt under section 501(c)(3).**

Have your annual gross receipts exceeded \$50,000 in any of the past 3 years and/or do you project that your annual gross receipts will exceed \$50,000 in any of the next 3 years? If yes, stop. Do not file Form 1023-EZ. See Instructions. ☐ Yes ☒ No

Do you have total assets the fair market value of which is in excess of \$250,000? If yes, stop. Do not file Form 1023-EZ. See Instructions. ☐ Yes ☒ No

**Part I Identification of Applicant**

<b>1a</b> Full Name of Organization ATHENS STRENGTH BOOSTERS		<b>b</b> Care Of Name (if applicable) NICHOLAS LUSK		
<b>c</b> Mailing Address (number, street, and room/suite). If a P.O. box, see instructions. 4333 JOHN R		<b>d</b> City TROY	<b>e</b> State MI	<b>f</b> Zip code + 4 48085
<b>2</b> Employer Identification Number 88-1124348	<b>3</b> Month Tax Year Ends (MM) 06	<b>4</b> Person to Contact if More Information is Needed KIM BRYSON		
<b>5</b> Contact Telephone Number 248-709-1438		<b>6</b> Fax Number (optional)	<b>7</b> User Fee Submitted \$275.00	
<b>8</b> List the names, titles, and mailing addresses of your officers, directors, and/or trustees. (If you have more than five, see instructions.)				
First Name: KIM		Last Name: BRYSON		Title: TREASURER
Street Address: 2101 HIGHBURY DRIVE		City: TROY		State: MI Zip code + 4: 48085
First Name: CHRISTINE		Last Name: BILINSKI		Title: PRESIDENT
Street Address: 1480 THREE LAKES DRIVE		City: TROY		State: MI Zip code + 4: 48085
First Name: NICOLE		Last Name: WILSON		Title: SECRETARY
Street Address: 4139 WASHINGTON CR		City: TROY		State: MI Zip code + 4: 48085
First Name: KRISTY		Last Name: OSTERLUND		Title: FINANCIAL SECRETARY
Street Address: 5395 CPRBIN DRIVE		City: TROY		State: MI Zip code + 4: 48098
First Name: NICHOLAS		Last Name: LUSK		Title: ADVISOR
Street Address: 8897 MARR ROAD		City: ALMONT		State: MI Zip code + 4: 48003
<b>9a</b> Organization's Website (if available):				
<b>b</b> Organization's Email (optional): ATHENSSTRENGTH.TREAS@GMAIL.COM				

**Part II Organizational Structure**

- 1** To file this form, you must be a corporation, an unincorporated association, or a trust. **Select the box** for the type of organization.  
☒ Corporation ☐ Unincorporated association ☐ Trust
- 2** ☒ **Check this box** to attest that you have the organizing document necessary for the organizational structure indicated above.  
(See the instructions for an explanation of **necessary organizing documents**.)
- 3** Date incorporated if a corporation, or formed if other than a corporation (MMDDYYYY): 03092022
- 4** State of Incorporation or other formation: Michigan
- 5** Section 501(c)(3) requires that your organizing document must limit your purposes to one or more exempt purposes within section 501(c)(3).  
☒ **Check this box** to attest that your organizing document contains this limitation.
- 6** Section 501(c)(3) requires that your organizing document must not expressly empower you to engage, otherwise than as an insubstantial part of your activities, in activities that in themselves are not in furtherance of one or more exempt purposes.  
☒ **Check this box** to attest that your organizing document does not expressly empower you to engage, otherwise than as an insubstantial part of your activities, in activities that in themselves are not in furtherance of one or more exempt purposes.
- 7** Section 501(c)(3) requires that your organizing document must provide that upon dissolution, your remaining assets be used exclusively for section 501(c)(3) exempt purposes. Depending on your entity type and the state in which you are formed, this requirement may be satisfied by operation of state law.  
☒ **Check this box** to attest that your organizing document contains the dissolution provision required under section 501(c)(3) or that you do not need an express dissolution provision in your organizing document because you rely on the operation of state law in the state in which you are formed for your dissolution provision.

**Part III Your Specific Activities**

- 1 Briefly describe the organization's mission or most significant activities (limit 250 characters)

Provide support for the Troy Athens High School Powerlifting Team and Strength & Conditioning Program through volunteering and raising funds to further the mission to provide student-athletes with well-rounded, proven fitness programs.

- 2 Enter the appropriate 3-character NTEE Code that best describes your activities (See the instructions):
- B94

- 3 To qualify for exemption as a section 501(c)(3) organization, you must be organized and operated exclusively to further one or more of the following purposes. By checking the box or boxes below, you attest that you are organized and operated exclusively to further the purposes indicated.
- Check all that apply.**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Charitable  | <input type="checkbox"/> Religious                                    | <input checked="" type="checkbox"/> Educational    |
| <input type="checkbox"/> Scientific   | <input type="checkbox"/> Literary                                     | <input type="checkbox"/> Testing for public safety |
| <input type="checkbox"/> To foster national or international amateur sports competition | <input type="checkbox"/> Prevention of cruelty to children or animals |  |

- 4 To qualify for exemption as a section 501(c)(3) organization, you must:

- Refrain from supporting or opposing candidates in political campaigns in any way.
- Ensure that your net earnings do not inure in whole or in part to the benefit of private shareholders or individuals (that is, board members, officers, key management employees, or other insiders).
- Not further non-exempt purposes (such as purposes that benefit private interests) more than insubstantially.
- Not be organized or operated for the primary purpose of conducting a trade or business that is not related to your exempt purpose(s).
- Not devote more than an insubstantial part of your activities attempting to influence legislation or, if you made a section 501(h) election, not normally make expenditures in excess of expenditure limitations outlined in section 501(h).
- Not provide commercial-type insurance as a substantial part of your activities.

☒ **Check this box** to attest that you have not conducted and will not conduct activities that violate these prohibitions and restrictions.

- |   |                           |                                     |
|---|---------------------------|-------------------------------------|
| 5 Do you or will you attempt to influence legislation? _____<br>(If yes, consider filing Form 5768. See the instructions for more details.)   | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 6 Do you or will you pay compensation to any of your officers, directors, or trustees? _____<br>(Refer to the instructions for a definition of <b>compensation</b> .)                           | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 7 Do you or will you donate funds to or pay expenses for individual(s)? _____   | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 8 Do you or will you conduct activities or provide grants or other assistance to individual(s) or organization(s) outside the United States? _____  | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 9 Do you or will you engage in financial transactions (for example, loans, payments, rents, etc.) with any of your officers, directors, or trustees, or any entities they own or control? _____ | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 10 Do you or will you have unrelated business gross income of \$1,000 or more during a tax year? _____  | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 11 Do you or will you operate bingo or other gaming activities? _____   | <input type="radio"/> Yes | <input checked="" type="radio"/> No |
| 12 Do you or will you provide disaster relief? _____  | <input type="radio"/> Yes | <input checked="" type="radio"/> No |

**Part IV Foundation Classification**

**Part IV is designed to classify you as an organization that is either a private foundation or a public charity. Public charity status is a more favorable tax status than private foundation status.**

- 1 Are you applying for recognition as a church, school, or hospital (described in section 170(b)(1)(A)(i), (ii), or (iii) of the Internal Revenue Code)? If yes, stop. Do not file Form 1023-EZ. See Instructions
- ☐
- Yes
- ☒
- No

- 2 If you qualify for public charity status, check the appropriate box (2a - 2c below) and skip to
- Part V**
- below.

- a ☐ **Select this box** to attest that you normally receive at least one-third of your support from public sources or you normally receive at least 10 percent of your support from public sources and you have other characteristics of a publicly supported organization. **Sections 509(a)(1) and 170(b)(1)(A)(vi).**
- b ☒ **Select this box** to attest that you normally receive more than one-third of your support from a combination of gifts, grants, contributions, membership fees, and gross receipts (from permitted sources) from activities related to your exempt functions and normally receive not more than one-third of your support from investment income and unrelated business taxable income. **Section 509(a)(2).**
- c ☐ **Select this box** to attest that you are operated for the benefit of a college or university that is owned or operated by a governmental unit. **Sections 509(a)(1) and 170(b)(1)(A)(iv).**

- 3 If you are not described in items 2a - 2c above, you are a private foundation. As a private foundation, you are required by section 508(e) to have specific provisions in your organizing document, unless you rely on the operation of state law in the state in which you were formed to meet these requirements. These specific provisions require that you operate to avoid liability for private foundation excise taxes under sections 4941-4945.

- ☐ **Select this box** to attest that your organizing document contains the provisions required by section 508(e) or that your organizing document does not need to include the provisions required by section 508(e) because you rely on the operation of state law in your particular state to meet the requirements of section 508(e). (See the instructions for explanation of the section 508(e) requirements.)

**Part V**      **Reinstatement After Automatic Revocation**

**Complete this section only if you are applying for reinstatement of exemption after being automatically revoked for failure to file required annual returns or notices for three consecutive years, and you are applying for reinstatement under section 4 or 7 of Revenue Procedure 2014-11. (Check only one box.)**

- 1   ☐ **Check this box** if you are seeking retroactive reinstatement under section 4 of Revenue Procedure 2014-11. By checking this box, you attest that you meet the specified requirements of section 4, that your failure to file was not intentional, and that you have put in place procedures to file required returns or notices in the future. (See the instructions for requirements.)
- 2   ☐ **Check this box** if you are seeking reinstatement under section 7 of Revenue Procedure 2014-11, effective the date you are filling this application.

**Part VI**      **Signature**

☒ **I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, and to the best of my knowledge it is true, correct, and complete.**

KIM BRYSON

(Type name of signer)

TREASURER

(Type title or authority of signer)

03242022

(Date)

**LARA** Corporations  
Online Filing System  
Department of Licensing and Regulatory Affairs

Form Revision Date 07/2016

## ARTICLES OF INCORPORATION

For use by DOMESTIC NONPROFIT CORPORATION

*Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:*

### ARTICLE I

The name of the corporation is:

ATHENS STRENGTH BOOSTERS

### ARTICLE II

The purpose or purposes for which the corporation is formed are:

The Athens Strength Boosters provide support for the Troy Athens High School Powerlifting team and Strength & Conditioning program. Support is shown in many ways, including but not limited to volunteering time, raising money and contributing funds to better enhance the team or organization's performance.

### ARTICLE III

The Corporation is formed upon  basis.

If formed on a stock basis, the total number of shares the corporation has authority to issue is

If formed on a nonstock basis, the description and value of its real property assets are (if none, insert "none"):

None

The description and value of its personal property assets are (if none, insert "none"):

None

The corporation is to be financed under the following general plan:

Public donations

The Corporation is formed on a  basis.

### ARTICLE IV

The street address of the registered office of the corporation and the name of the resident agent at the registered office (P.O. Boxes are not acceptable):

1. Agent Name: NICHOLAS LUSK  
2. Street Address: 8897 MARR ROAD  
Apt/Suite/Other:  
City: ALMONT  
State: MI

Zip Code: 48003

3. Registered Office Mailing Address:

P.O. Box or Street Address: 4333 JOHN R  
Apt/Suite/Other:  
City: TROY  
State: MI

Zip Code: 48085

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
NICHOLAS LUSK	8897 MARR ROAD, ALMONT, MI 48003 USA
CHRISTINE BILINISKI	1480 THREE LAKES DRIVE, TROY, MI 48085 USA
NICOLE WILSON	4139 WASHINGTON CR, TROY, MI 48085 USA
KRISTY OSTERLUND	5395 CORBIN DRIVE, TROY, MI 48098 USA
KIM BRYSON	2101 HIGHBURY DRIVE, TROY, MI 48085 USA

Signed this 9th Day of March, 2022 by the incorporator(s).

Signature	Title	Title if "Other" was selected
Kim Bryson	Incorporator	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

 Decline       Accept

***MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS***  
***FILING ENDORSEMENT***

***This is to Certify that the*** ARTICLES OF INCORPORATION

***for***

ATHENS STRENGTH BOOSTERS

***ID Number:*** 802822030

***received by electronic transmission on*** March 09, 2022 ***, is hereby endorsed.***

***Filed on*** March 09, 2022 ***, by the Administrator.***

***The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.***



***In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 9th day of March, 2022.***

*Linda Clegg*

***Linda Clegg, Director***

***Corporations, Securities & Commercial Licensing Bureau***

**Athens Strength Boosters  
Bylaws  
Adopted November 29, 2022**

**Article I. Name**

The name of this organization is Athens Strength Boosters hereinafter identified as Boosters.

**Article II. Organization**

The Boosters is incorporated in the state of Michigan as a non-profit association of its members which is organized and controlled by the procedures and rules contained in these bylaws. The organization is duly registered with the IRS as a tax-exempt corporation under code section 501c(3). As such, the Boosters shall operate within the confines of the laws of the state of Michigan and the Internal Revenue Service so as not to jeopardize this status.

**Article III. Mission**

The mission of the Troy Athens Powerlifting Team and Strength & Conditioning Program is to provide student-athletes with well-rounded and scientifically-based lifting, strength and conditioning programs in order to safely enhance their overall athletic performance, while reducing their risk of injury along with developing an atmosphere that encourages team work, respect for others, mental toughness, discipline, and builds character through rigorous physical and mental training.

The mission of the Athens Strength Boosters is to provide support for the Troy Athens Powerlifting Team and the Strength & Conditioning Program. Support is shown via volunteering time, raising money and contributing funds to better enhance the team or program's performance along with providing operational funds for the organization.

The Boosters supports and adopts the Mission Statement determined by the faculty and staff of Troy Athens High School which may be revised at any time.

**Article IV. Membership and Dues**

**Section 1 – Membership** The following persons are considered to be members of the Boosters:

- a. Any parent or legal guardian of current or former Troy Athens High School students who participate(d) in the Athens Powerlifting Team or Strength and Conditioning Program
- b. Any member of the faculty or staff of Troy Athens High School who participates in the direction of the aforementioned activities
- c. Any Powerlifting Team or Strength and Conditioning Program coach along with his/her spouse

All members must subscribe to the mission, goals, policies, and bylaws of the Boosters. Membership is available without regard for race, gender, creed, disability, or national origin.

**Section 2 - Board Eligibility** Any member of the Boosters is eligible to hold an elected or appointed office or position.

**Section 3 - Dues** Dues, if any, will be determined and the amount set by the Board of Directors of the Boosters on an annual basis.

**Article V. Board of Directors', Advisor and Committees - Definitions and Duties**

CB

**Athens Strength Boosters**  
**Bylaws**  
**Adopted November 29, 2022**

Section 1 – Board Composition The Board of Directors is comprised of officers, as defined in Article V, Section 4.

Section 2 - Operational Consideration The Boosters may operate with no less than a president, secretary, and treasurer such that there are always 3 individuals on the board at all times. This minimum number should only be considered adequate to prevent the organization from being dissolved. Every attempt should be made to recruit other members to fill vacant positions.

Section 3 – Annual Statement Upon being elected to the Board of Directors and annually thereafter, each officer will agree to sign an Annual Statement indicating he/she has received and understand the current Booster's bylaws and will abide by its regulations.

Section 4 – Board Members and Duties

The following are considered to be the officers of the Boosters and their duties are defined below. All officers of the Organization agree to annually sign an Annual Statement indicating he/she has received a copy of the current bylaws, understands the organization's policies and agrees to comply.

a. President

- i. Prepare an agenda for every meeting
- ii. Preside at all Boosters general membership and Board of Directors meetings
- iii. Serve as a liaison to the Troy Athens administration as necessary
- iv. Coordinate the work of the Boosters' officers and committees
- v. Serve as an ex-officio member of each standing and special project committee
- vi. Ensure that the bylaws are presented to the general membership at the first meeting of the fiscal year.
- vii. Ensure that the Boosters' bylaws are reviewed annually, updated as needed and agreed to by each board member, in writing
- viii. Perform other duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

b. Vice President

- i. Preside at all meetings in the absence of the President
- ii. Compile and maintain a complete roster of members including their name, phone number and email address
- iii. Perform the duty of providing the slate of officers which will be presented before a general membership meeting at the end of the season for the upcoming fiscal year
- iv. Perform other duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

c. Secretary

- i. Take the minutes of all general membership and Board of Directors' meetings
- ii. Provide a draft of the minutes of all meetings to the members or board as applicable within one week of the meeting
- iii. Present the minutes at the next meeting for approval
- iv. Maintain custody of the official book of minutes of the Boosters which contain approved minutes of both general membership and Board of Directors meetings
- v. Once approved, file minutes of all meetings electronically on the Boosters Google drive

**Athens Strength Boosters  
Bylaws  
Adopted November 29, 2022**

- vi. Provide the final, approved minutes from any previous meeting to a Boosters member upon request
- vii. Perform other duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

**d. Treasurer**

- i. Maintain custody of all assets of the Boosters
- ii. Maintain the assets in accounts with financial institutions approved by the Board of Directors
- iii. Keep full, accurate records of all transactions via a computer-based accounting system
- iv. Agrees to follow the Boosters' Internal Control Policies detailed in a separate document
- v. Prepare an annual budget with input from the board of directors and present it for approval to the general membership at the first general membership meeting of the fiscal year.
- vi. Deposit and disburse funds in accordance with the annual budget or other approved motions during the year. All deposits and disbursements should be done in a timely manner.
- vii. Receive from any Boosters committee, all records and proceeds from fund-raising activities.
- viii. In a timely manner, receive from all other committees, records of any financial activity to be included in the Boosters' records
- ix. Reconcile the financial and accounting records on a monthly basis
- x. In a clear and concise manner, prepare a financial statement and report all Boosters' financial activity for the period at every regular general membership meeting and, as requested, any regular or special Board of Directors meetings
- xi. Once approved, file minutes of all meetings electronically on the Boosters Google drive
- xii. Submit to the Financial Review Committee as defined in Article V, section 4, all records and books of the Boosters for each bi-annual financial review and ensure that the financial review results are presented at the next regularly scheduled general membership meeting
- xiii. Maintain the financial records of the organization in accordance with generally accepted accounting principles, all non-profit corporation laws of the State of Michigan and regulations of the Internal Revenue Service.
- xiv. Responsible for timely filing all required Michigan Annual reports, federal non-profit income tax returns and any other required documentation that arise.
- xv. Upon the election of a new treasurer to the Board of Directors, ensure that all files, accounts, and permissions are turned over to the new treasurer no later than one month after the end of the fiscal year or within 1 week from the date of a removal or resignation of the treasurer unless another date is mutually agreed upon by all Board members
- xvi. Perform duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

**e. Financial Secretary**

- i. Authorized as the second signer on the bank account for the purpose of conducting transactions in accordance with these bylaws

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Adopted November 29, 2022**

- ii. Perform any of the duties of the treasurer in his/her absence
- iii. Perform other duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

**Section 5 - Advisor**

- a. The Boosters' resident agent as defined in organization's Michigan Annual Report shall act as an advisor to the board. At all times, the resident agent designated must be
  - i. Employed as a current staff member of Troy Athens High School
  - ii. Actively involved in the direction of the Athens Powerlifting Team or the Athens Strength and Conditioning Program
  - iii. Be an expert in physical fitness, conditioning and weight lifting
  - iv. Legally appointed as the Resident Agent on the Boosters' Michigan Annual Report as the person responsible for communications with the State of Michigan
  - v. Perform other duties as may be prescribed in these bylaws, assigned by the Board of Directors or delegated during a general membership meeting

**Section 6 - Committees**

- a. Committees will be established or abolished by the Board of Directors.
- b. Committee chairs will work with the Booster's treasurer such that the committee operates within the budget of the organization as well as ascertains how to submit deposits and request disbursements or reimbursements
- c. Each committee shall submit to the vice president, all documentation, either physical or electronic, outlining the operations of the committee during the fiscal year and any other guidelines deemed necessary for future committees
- d. Established committees
  - i. Fund Raising Committee This committee is responsible to find, create and implement fund raising opportunities with the goal of raising funds to insure the financial viability and stability of the Boosters. The committee members will work together with the Boosters' advisor to device the most advantageous opportunities while taking the members and athletes responsibilities for the proposed fund raiser into account.
  - ii. Tournament Committee This committee is responsible for the planning and execution of any tournaments to be hosted at Troy Athens High School including but not limited to promotion, set-up and clean up, registration, food service, vendors, and general management the day of the event.
  - iii. Financial Review Committee This committee will be compromised of three to five (3-5) members of the Boosters, of which one must be a board member who does not have signatory authority of the Boosters' bank account and shall be chosen by a vote of the membership at the last fiscal year general membership meeting, unless not already assigned. This committee shall review the records of the organization bi-annually and will report its findings at the next general membership meeting.
  - iv. Special Project Committees. On an as-needed basis, the Board with the agreement of the Boosters' advisor may create ad-hoc committees to carry out specialized duties and may appoint chairpersons to head them. The creation of Special Project committees and the appointment of chairpersons will have the

**Athens Strength Boosters**  
**Bylaws**  
**Adopted November 29, 2022**

approval of the majority of the Board of Directors. Each chairperson may recruit as many members of the Boosters to serve on the committee as deemed necessary and convenient to conduct its duties. Special committees shall not carry into a subsequent fiscal year but must be reappointed, if necessary, to continue duties.

**Article VI. – Elections, Vacancies and Removals**

**Section 1 - Eligibility** Only persons who are, or will continue to be members of the Boosters, as defined in Article IV, Section 1, may stand for election or appointment to an office or committee.

**Section 2 - Term** The term of office for officers and committee chairpersons is one fiscal year as defined in Article VIII unless a person resigns, is removed from office by a majority vote or the nominee cannot be located for the following term. Officers and chairpersons will remain in the position until a transition meeting has occurred on a mutually agreed upon date between the outgoing and incoming persons whichever is later. Members of the Boosters may be re-elected or re-elected or re-appointed to any office or committee chair position with no limit to the number of terms having been served.

**Section 3 - Officer Elections**

- a. A nomination ballot will be drafted and distributed using a method of distribution intended to reach the full membership. This ballot will nominate officers for the ensuing fiscal year of the Boosters and will clearly state that all positions are open to nomination. This ballot will include:
  - i. all board positions.
  - ii. the name(s) of all those currently serving in those positions.
  - iii. the name(s) of all those currently nominated for those positions for the ensuing fiscal year.
- i. The officers of the Boosters will be elected at the last regularly scheduled general membership meeting for the ensuing fiscal year.
- ii. Other than members proposed by the ballot nominating process, other persons may be nominated from the floor at the last regularly scheduled general membership meeting.
- iii. Consent to both stand for election and to serve will be obtained from each person prior to nomination by the current Vice President.
- iv. In the event that there is only one nominee per position, then voting is unnecessary. When a vote is deemed necessary, the voting shall be done at a general membership meeting either in a written or electronic format. The winner shall be determined by the voting policies detailed in Article VI Section 3.

**Section 5 – Annual Statement** – All Board members must agree in writing to uphold the Boosters' bylaws in effect when newly elected and then annually at the beginning of each fiscal year in which they serve.

**Section 6 - Vacancies** - In the event of a vacancy in any of the officer or chair positions of the Boosters, the remaining Board of Directors may vote to fill the vacancy from among the membership of the Boosters. Any replacement officer or chairperson selected will serve for the remainder of the current fiscal year.

**Section 7 - Removals** –Board members or committee chairs can be removed from office.

- a. Any member can initiate the process to remove a Board or committee member for reasons as defined below:

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**Adopted November 29, 2022**

- i. Participation – Failing to participate in general membership or Board meetings as evidenced by his/her absence from meetings unless otherwise previously excused by a majority of the other members of the Board of Directors in which their continued absence is deemed to have a detrimental effect on the organization due to the Board member not fulfilling his/her duties.
- ii. Performance – Due to a person's failure to perform his/her duties
- iii. Capacity – Due to a person's perceived diminished capacity
- iv. Conduct – Due to a person's conduct which is deemed unbecoming to the mission of the Boosters or is determined to be potentially harmful to himself or others
- b. The initiative to remove an individual from office must be submitted to the Board for consideration. This must be done respectfully and outside a general membership meeting. The Board will make a determination as to whether a resulting motion will be entertained at the next regular general membership meeting or at a special meeting.
- c. Any person subject to removal shall be notified of the motion in writing at least one week prior to the meeting at which such motion is to be voted on and shall be allowed the opportunity to be heard by members present at the meeting.
- d. The motion of removal will pass or fail as dictated by the normal voting process and regulations per Article VII Section 1
- e. If the motion passes, the member being removed from his/her position shall return all written or electronic records pertaining to his/her position to the Board member so designated within one week of being removed.

**Article VII. Meetings, Quorums, Notice, Voting, Approval Majorities**

**Section 1 - General Membership Meetings.**

- a. A minimum of two general membership Boosters' meetings will be held each fiscal year with one being held near the beginning of the athletic season.
- b. General Membership meetings are open to any Boosters member as defined in Article IV Section 1 and all such members are eligible to vote.
- c. Official business of the Boosters may be conducted when there are at least a 2/3 majority of the Board of Directors present at any duly called general membership meeting.
- d. Notice of a general membership meetings will be given at least one week in advance, using a method of distribution intended to reach the full membership.
- e. Special Boosters' meetings may be called at any time by the President, Advisor, two or more board members or a minimum of five Booster members.
- f. Voting on regular motions or elections - approval is defined as 'more than half of the members present'. The Boosters' advisor must affirm all motions for passage.
- g. Voting on amendments or revisions to these bylaws - approval is defined as 'at least two-thirds of the members present'.
- h. Voting may be conducted by voice, email or other electronic means at the discretion of the officer presiding at the meeting. Any member present may require that a vote be conducted by a formal show of hands or written ballot.

**Section 2 - Board of Directors Meetings.**

- a. Official business of the Boosters may be conducted when there are at least half the members of the Board of Directors present at any duly called meeting. Every effort must be made to include all board members and be scheduled at a time most convenient for the majority.

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- b. Notice of a meeting of the Board of Directors must be given to the membership at least one week in advance of the meeting using a method of distribution intended to reach the full membership.
- c. Voting on regular motions or elections - approval is defined as 'more than half of the board members present'. The Boosters' Advisor must affirm all motions for passage.
- d. Voting may be conducted by voice, email or other electronic means at the discretion of the officer presiding at the meeting. Any board member present may require that a vote be conducted by a formal show of hands or written ballot.
- e. In cases where issues need to be voted on between general membership Boosters' meetings, any board member may call a special Board of Directors' meeting or utilize another electronic means of voting, including but not limited to email or virtual voting. A 2/3 majority of the Board will be required to pass.

**Article VIII. General Policies and Procedures**

Section 1 – Fiscal Year The fiscal year of the Boosters begins on July 1, ending on the following June 30.

Section 2 - Organization The Boosters is noncommercial, nonsectarian, and nonpartisan.

Section 3 - Use of the Organization's Name No person or organization may use the name of the Boosters or the name of any of the officers or committee chairpersons for any purpose without the expressed approval of the Board of Directors.

Section 4 - Cooperation The Boosters will cooperate with other organizations and agencies concerned with the well-being of the students of Troy Athens High School.

Section 5 - Contracts Persons representing the Boosters will not make any commitments or representations that bind the Boosters in any way. All contracts which bind the Boosters in any manner must be signed by a Board member and be so indicated in the minutes of the organization.

Section 6 - Control - The government and direction of the Boosters, the control of its properties and records are vested in the Board of Directors.

**Article IX. Financial Policies and Procedures**

Section 1 - Cash All accounts necessary for the transaction of the financial business of the Boosters will be opened and maintained at recognized financial institutions using the full name of the organization. The placements of such accounts are to be approved by the Board of Directors. The cancellation of any accounts must have approval and authorization of the Board of Directors.

Section 2. - Required Signatures All bank accounts are required to have two signatures for any withdrawal transaction of more than \$1,000. The treasurer and Financial Secretary or the President in the absence of a Financial Secretary in a given year will be the only authorized signers for all bank accounts. All transactions or reimbursements must have documentation for any monies distributed.

Section 3 - Annual Budget - A tentative budget for the organization shall be drafted by the treasurer in conjunction with the board of directors. The budget shall be approved by majority vote at the first general membership meeting of each fiscal year.

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Section 4 - Compensation – No member of the board shall receive compensation. All time and effort spent on behalf of the Boosters by these other Board members shall be done so gratuitously.

**Article X. - Financial Reviews**

- a. Bi-annual financial reviews will be conducted with one performed halfway through the fiscal year and the other after the fiscal year ends.
- b. A financial review will also be conducted, upon a change of Treasurer, prior to the transition to a new Treasurer.
- c. The results of the financial reviews will be presented at the next general membership meeting.
- d. The Board of Directors, at their discretion, may designate an outside authority to conduct an audit of the financial records with the provision that a written and signed report is specified and required.

**Article XI. Conflict of Interest**

All Board Members will abide by the Boosters Conflict of Interest Statement that follows. They agree to annually sign the Annual Statement as described in Article V Section 3.

**Section 1 - Purpose**

- a. The purpose of the conflict of interest policy is to protect this tax-exempt organization's (Organization) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

**Section 2 - Definitions**

- a. Interested Person - Any director, principal officer, or member of a committee with Board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
- b. Financial Interest - A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
  - i. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
  - ii. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
  - iii. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate Board or committee decides that a conflict of interest exists.

**Section 3 - Procedures.**

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- a. Duty to Disclose - In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the officers and members of committees with Board delegated powers considering the proposed transaction or arrangement.
- b. Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
- c. Procedures for Addressing the Conflict of Interest.
  - i. An interested person may make a presentation at the Board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
  - ii. The President of the Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
  - iii. After exercising due diligence, the Board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
  - iv. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested officers whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
- d. Violations of the Conflict of Interest Policy.
  - i. If the Board has reasonable cause to believe a member has failed to disclose actual or possible conflict of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
  - ii. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Section 4 - Recordings of Proceedings**

The minutes of the governing board and all committees with board designated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest
- b. The nature of the financial interest
- c. Any action taken to determine whether a conflict of interest was present
- d. Governing board's decision as to whether a conflict of interest in fact existed
- e. The names of the persons who were present for discussions and votes relating to the transaction agreement

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- f. The content of the discussion including any alternatives to the proposed transaction or arrangement
- g. Record of any votes taken in connection with the proceedings

**Section 5 - Compensation**

- a. A voting member of the Board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Section 6 - Annual Statements**

Each director or principal officer, and member of a committee with Board delegated powers shall annually sign a statement which affirms that he/she

- a. Has received a copy of the conflicts of interest policy
- b. Has read and understands the policy
- c. Has agreed to comply with the policy
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**Section 7 - Periodic Review**

To ensure the Organization operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payment for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

**Section 8 – Use of Outside Experts**

When periodic reviews are conducted, the Organization may, but need not, use outside advisors. If outside advisors are used, their use shall not relieve the Board of its responsibility for ensuring that periodic reviews are conducted.

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**Article XII. Amendments**

These bylaws may be amended or revised at any duly called meeting of the general membership by a two-thirds vote of those present.

**Article XIII. Dissolution**

The Boosters may be dissolved upon a 2/3 vote of the Board of Directors or a majority vote of the General Membership. If the Board of Directors has not met for more than 3 years, the Organization's Resident Agent or the Troy Athens High School Principal in the absence of a properly assigned Resident Agent may dissolve the Boosters at his/her discretion. Upon dissolution of the Boosters, all remaining assets will be distributed to Troy Athens High School for exempt purposes without further restrictions within the meaning of section of 501c(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

*Christine Belushi, president*  
*11-29-2022*



Department of the Treasury  
Internal Revenue Service  
Tax Exempt and Government Entities  
P.O. Box 2508  
Cincinnati, OH 45201

ATHENS STRENGTH BOOSTERS  
C/O NICHOLAS LUSK  
4333 JOHN R  
TROY, MI 48085

Date:  
04/07/2022  
Employer ID number:  
88-1124348  
Person to contact:  
Name: Customer Service  
ID number: 31954  
Telephone: 877-829-5500  
Accounting period ending:  
June 30  
Public charity status:  
509(a)(2)  
Form 990 / 990-EZ / 990-N required:  
Yes  
Effective date of exemption:  
March 9, 2022  
Contribution deductibility:  
Yes  
Addendum applies:  
No  
DLN:  
26053487001472

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin  
Director, Exempt Organizations  
Rulings and Agreements



Charitable Gaming Division  
Box 30023, Lansing, MI 48909  
OVERNIGHT DELIVERY:  
101 E. Hillsdale, Lansing MI 48933  
(517) 335-5780  
www.michigan.gov/cg

## LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(K)(ii))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from \_\_\_\_\_ of \_\_\_\_\_,  
NAME OF ORGANIZATION CITY

county of \_\_\_\_\_, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_.  
APPROVAL/DISAPPROVAL

### APPROVAL

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

### DISAPPROVAL

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_.  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.  
PENALTY: Possible denial of application.

BSL-CG-1153(R6/09)