

Michigan Swimming, Inc.
RESOLUTION OF THE BOARD OF DIRECTORS
B.Res. 2021-03-001

WHEREAS, the Centers for Disease Control and Prevention are responding to the ongoing outbreak of the respiratory disease named “SARS-CoV-2” and the disease it causes named “COVID-19” (“the Ongoing Pandemic”);

WHEREAS, the United States Government, the Government of the State of Michigan, and local municipal governments have issued orders, administrative rules, guidelines, and other instruments carrying the weight of law to control the Ongoing Pandemic;

WHEREAS, Michigan Swimming, Inc. is a domestic non-profit corporation incorporated in the state of Michigan (“the Corporation”);

WHEREAS, the Corporation maintains its unequivocal commitment to the health and safety of all its members, the communities in which its members operate, and the community of the state of Michigan;

WHEREAS, the Corporation is responsible for issuing sanctions and approvals for competitive swimming events on behalf of USA Swimming, Inc. within the geographical boundaries of the state of Michigan;

WHEREAS, the Corporation is authorized to impose restrictions on sanctions and approvals for competitive swimming events within the geographical boundaries of the state of Michigan;

WHEREAS, the Michigan Swimming, Inc. Board of Directors (“the Board of Directors”) is authorized by the Michigan Swimming, Inc. Corporate Bylaws (“the Corporate Bylaws”) and the laws of the state of Michigan to act for, by, and on behalf of the Corporation generally;

WHEREAS, the Board of Directors is explicitly authorized by the Corporate Bylaws to “establish and direct policies, procedures, and programs” for the Corporation;

WHEREAS, the Board of Directors recognizes the importance of treating all of its members fairly, maintaining to the extent reasonably possible a level playing field, and ensuring equitable access to competitive opportunities for its members;

NOW, THEREFORE, BE IT RESOLVED, Michigan Swimming, Inc. Policy COVID-005: "Temporary Sanctioned and Approved Competition Requirements" dated March 16, 2021 ("the Policy") is hereby adopted in full and is made effective as stated therein;

RESOLVED, the Treasurer is hereby authorized to disburse up to a maximum of \$10,000 from the Michigan Swimming, Inc. general operating fund for the purpose of the open invitational competition hosting financial incentive program as outlined in the Policy;

RESOLVED, the Michigan Swimming Office is directed to implement the Policy in full;

RESOLVED, the Michigan Swimming Office is directed to update all meet information packets, website pages, and other collateral such that all member-facing information is compliant with the Policy;

RESOLVED, the Chairman of the Michigan Swimming, Inc. Board of Directors is authorized to interpret the Policy as may be required in his sole discretion and such interpretations issued by the Chairman of the Michigan Swimming, Inc. Board of Directors shall be duly constituted upon issuance as if they were issued by the Board of Directors;

RESOLVED, nothing in this resolution shall be construed to take precedence over any federal, state, or local law, order, administrative rule, or guideline;

RESOLVED, this resolution shall not establish any precedent, nor will this resolution be used as the basis to seek or justify similar terms in any subsequent situation involving the Corporation;

RESOLVED, this resolution may not be offered, used, or admitted into evidence in any proceeding or litigation, whether civil, criminal, arbitral, or otherwise, for the purpose of establishing precedent.