

**BYLAWS OF THE  
DEEP CREEK LAKE SAILING ASSOCIATION, INC.  
(Adopted August 31, 1980, Last Amended July 10, 2010)**

**ARTICLE 1. PURPOSE**

It shall be the purpose of the Deep Creek Lake Sailing Association (Association), also known as Deep Creek Yacht Club at Turkey Neck, to promote sailing and competitive racing on Deep Creek Lake, Maryland.

**ARTICLE 2. BOARD OF GOVERNORS**

**2.1 AUTHORITY**

The management of the affairs of the Association shall be vested in a Board of Governors (Board) consisting of seven Voting Members of the Association. Meetings of the Board may be called at any time by the Commodore to review such matters requiring Board consideration and approval including recommendations to be made to the membership. Upon request to the Secretary, minutes of Board meetings shall be available to Voting Members. Members are welcome to attend Board meetings by prior arrangement with the Commodore.

**2.2 TERM OF OFFICE**

All members of the Board shall serve for a term of three years starting from the date of their election. Any vacated Board position may be temporarily filled by recommendation of the Commodore and approval of the Board. The appointee shall serve until the next Annual Labor Day Membership Meeting (Annual Meeting). At each Annual Meeting, Voting Members shall be elected to fill all expiring or vacant Board positions.

**2.3 VOTING PROCEDURE**

For the purpose of conducting business at a Board of Governors meeting, a quorum of at least four (4) Governors, including at least one (1) officer shall be required. All decisions made by the Board shall be by majority vote. In the case of a tie vote, the decision may be reconsidered until a majority vote is reached.

**ARTICLE 3. OFFICERS**

**3.1** The elected officers shall consist of the Commodore, Vice Commodore, Secretary, and Treasurer, all of whom shall be members of and elected by the Board of Governors immediately following the Annual Meeting.

(a) **Commodore:** The responsibilities of the Commodore are to take command of the Association, preside at all meetings, enforce all rules and regulations, nominate all standing and special committees, subject to the approval of the Board, and be an ex officio member of all committees.

(b) **Vice Commodore:** The Vice Commodore shall assist the Commodore in the discharge of duties and officiate in the Commodore's absence. The Vice Commodore shall be the Commodore Elect and shall become the Commodore upon the expiration of the term of the Commodore. If the Vice Commodore is serving the third year of his term on the Board, his/her term shall be extended for one year.

(c) **Secretary:** The Secretary shall keep a record of the proceedings of all meetings of the Association and the Board of Governors and shall mail to the Board copies of minutes within fifteen (15) days after meetings. The Secretary shall conduct the correspondence of the Association, oversee the

maintenance of the Association Yearbook, and perform such duties properly devolving on the office.

- (d) **Treasurer:** The Treasurer shall be the custodian of the Association's funds, shall mail dues notices and other bills, receive all sums due the Association and pay such bills as have been authorized by the Board of Governors, keep the official membership rolls, list members in good standing in the Association Yearbook, and assist the Board in the preparation of the budget for presentation at the Pre-Season Meeting.
- (e) **Rear Commodore:** The immediate past Commodore shall serve as Rear Commodore. If the Rear Commodore is a current board member, he/she shall act as Commodore in the absence of the Commodore and Vice Commodore. If the Rear Commodore's term on the Board has expired, he/she shall serve as a nonvoting ex officio advisor to the Board and shall be entitled to attend all Board Meetings.

## **ARTICLE 4. COMMITTEES**

### **4.1 STANDING COMMITTEES**

- (a) **Membership:** The Membership Committee shall receive applications for membership and, after investigating, shall transmit them to the Board of Governors with recommendations.
- (b) **House:** The House Committee shall have direction of all employees and complete control of the use of the clubhouse and the grounds and shall be empowered to formulate and enforce, with the concurrence of the Board, such rules as it may deem necessary for the proper care of the property. It shall be solely responsible for the private use of the Association's facilities by any members or group of members.
- (c) **Docks and Moorings:** The Docks and Moorings Committee shall be responsible for the procurement, maintenance, installation, and removal of all docks and moorings. It shall have complete charge of assignment and use of these facilities.
- (d) **Social:** The Social Committee shall have charge of all entertainment sponsored by the Association and shall submit to the Board from time to time a program of such activities as it may have in contemplation.
- (e) **Buildings and Grounds:** The Building and Grounds Committee shall have charge of alterations of the clubhouse proper, improvements to the grounds and maintenance of all structures and grounds including the shoreline wall.
- (f) **Nominating:** The Nominating Committee shall recommend to the membership a slate of Voting Members to fill vacant and expiring positions on the Board of Governors at the Annual Meeting each year. The Committee shall be composed of three immediate past commodores available to serve. The senior member shall serve as Chairperson. The Committee's report each year will be posted on the Association's official bulletin board at least 23 days prior to the Annual Meeting. Its recommendations, along with any nominations from the membership, will be voted on by the membership at the Annual Membership Meeting. In the event a member desires to submit to the membership the name of any other candidate(s), the following procedure shall be used.
  - (1) Secure the written agreement of the candidate(s) indicating a willingness to be nominated and to serve in office if elected.
  - (2) Secure the written endorsement of at least three (3) Voting

Memberships.

- (3) Post on the Association's official bulletin board, at least 16 days prior to the Annual Membership Meeting, a notice certifying to the above and, at the same time, deliver to the Commodore the original documents referred to above. The filing of this report and the above procedure are intended to provide a timely and orderly process by which members may give full and deliberate consideration to all nominees.

#### **4.2 SPECIAL COMMITTEES**

The Board of Governors may establish special committees as required.

### **ARTICLE 5. MEMBERSHIP**

#### **5.1 GENERAL**

The membership shall be selected from those persons having an Active interest in sailing on Deep Creek Lake, in activities associated with sailing, and subscribe to the tenet that the Association is a "do it yourself" organization and that all members, to the best of their abilities, are expected to participate in the operation and activities of the Association. Membership in the Association is a privilege not a right. A Membership is defined as a single person or family unit, consisting of a head of household and spouse or significant other whose application to join the Association is accepted by the Board of Governors. At least one person in a Membership shall be at least 18 years of age. Payment of dues and fees by a Membership shall entitle immediate family, including children to age 23 or full-time students, to privileges of the Association except as noted in Section 5.2(b).

#### **5.2 CLASSES OF MEMBERSHIP**

Memberships shall be classified as either Voting Membership or Non-Voting Membership.

##### **(a) VOTING MEMBERSHIPS**

The Voting Membership shall consist of Active, Senior, Junior, Progeny and Junior Progeny classes as defined below. Each Voting Membership shall have one (1) vote. All classes of Voting Memberships shall have the same privileges and obligations except each class shall pay dues and initiation fees in accordance with Article 7, Table 1. Voting Memberships shall be classified as follows.

- (1) **Active:** All Voting Memberships who are not classified as Senior, Junior, Progeny or Junior Progeny.
- (2) **Senior:** shall be Memberships which have been a Voting Membership for at least 15 years, have at least one member 65 years of age or older, have requested transfer to Senior status and received approval by the Board of Governors. No more than five (5) Memberships shall be transferred to Senior status in any one calendar year.
- (3) **Junior:** shall be persons under 30 years of age as of April 30th. Upon reaching 30 years of age (any one person of a Membership), membership class will automatically transfer to Active.
- (4) **Progeny:** shall be persons 30 years of age or older as of April 30th and a progeny of a current Voting Membership at the time of becoming a member.
- (5) **Junior Progeny:** shall be persons under 30 years of age as of April 30th and a progeny of a current Voting Membership at the time of becoming a member. Upon reaching 30 years of age (the person(s) qualifying as a

progeny), membership class will automatically transfer to Progeny.

(b) **NON-VOTING MEMBERSHIPS**

Non-voting Memberships shall be classified as follows.

- (1) **Honorary:** shall be elected for life by the Board of Governors, shall pay no dues and shall have such rights as determined by the Board.
- (2) **Reciprocal:** shall be a member of Deep Creek Yacht Club at Deerhaven and shall be extended reciprocal membership by invitation of the Board of Governors and, on payment of the reciprocally agreed upon fee, will have privileges of the clubhouse, grounds, and docks. Reciprocal members may be restricted in bringing guests in accordance with current Operating Procedures.
- (3) **Inactive:** a Voting Membership may transfer to Inactive status upon written request to and approval of the Board of Governors. Inactive Memberships shall be obligated for all special assessments subsequent to their becoming Inactive and prior to their return to Voting Membership status. The Inactive status is limited to a one (1) year period unless extended by action of the Board of Governors. Inactive status provides a short-term option to termination of membership. An Inactive Membership does not retain membership privileges. They may, however, visit the club as guests of a Voting Membership in accordance with current Operating Procedures. Following the period of Inactive status, membership class will automatically transfer to the Membership's previous class without regard to membership restrictions or waiting list.
- (4) **Associate:** a Voting Membership which no longer maintains a residence within 500 miles of the Club may transfer to an Associate Membership upon written request to and approval of the Board of Governors. An Associate shall have full membership privileges for up to 30 consecutive days each year. An Associate may transfer to their previous membership class by written request to the Board of Governors without regard to membership restrictions or waiting list. Associate status provides a long-term option to termination of membership to members who no longer can make full use of the club facilities and activities but wish to maintain contact with members.

(c) **RESTRICTIONS ON MEMBERSHIP**

The total number of Active and Junior Memberships shall be limited to 100 Memberships. The number of Senior Memberships shall be limited to 30 Memberships except that no more than five (5) Memberships shall be transferred to Senior status in any one calendar year. There shall be no limitation to the number of Progeny, Junior Progeny, Inactive, Reciprocal, Honorary, and Associate Memberships.

**5.3 MEMBERSHIP APPLICATIONS AND PROCEDURES**

The Board of Governors shall establish rules for membership applications and procedures, which rules shall not be inconsistent with the Bylaws, and which shall be printed in the Association Yearbook.

**5.4 TERMINATION OF MEMBERSHIP**

- (a) A Membership in good standing may terminate membership by giving notice in writing to the Secretary.
- (b) A Membership whose dues are in arrears for sixty (60) days shall have their

membership terminated unless an extension has been granted. The Board, based upon information of extenuating circumstances provided in a written request before the termination date, may grant an extension to a Membership.

- (c) Any member whose fees, charges or assessments are in arrears for sixty (60) days shall be deemed not in good standing and shall not be entitled to use the Club and its facilities until all arrears are paid. The Board of Governors may terminate a Membership not in good standing.
- (d) A member of the Association may be suspended or terminated by the Board for cause. "Cause" shall be defined to include, but not be limited to, conduct that is disruptive, injurious or harmful to the best interests of the Association, or the conviction of a crime of moral turpitude. The member shall be notified by the Board by certified mail or personal delivery of the conduct constituting cause for which he or she may be suspended or terminated. The member shall be afforded an opportunity of a hearing before the Board regarding the conduct in question. At least five (5) Board members must vote for suspension or termination of a member. The member shall be notified of the Board's decision by certified mail or personal delivery. The terminated member has the right to appeal the Board's decision to the general membership. To do so, an appeal must be filed with the Secretary within 30 days after delivery of the Board's decision; otherwise the decision of the Board is final. The date of delivery of the Board's decision shall be the date of personal delivery or three business days after the date of deposit of notification of the Board's decision with the United States Postal Service addressed to the member via certified mail. If a timely appeal is filed, the Board's decision shall not take effect until the conclusion of the appeal to the membership. The appeal will be presented to the general membership at its next scheduled meeting. The Board's decision must be ratified by a vote of two thirds [2/3] of those members present and voting and, if so, it shall become final and effective as of the date of the vote of the membership. This paragraph (d) shall apply only to conduct occurring after adoption of this amendment, unless such conduct first comes to the attention of the Board after adoption of this paragraph (d).

## **ARTICLE 6. MEMBERSHIP MEETINGS**

Two regular meetings of the membership shall be held each year.

- 6.1** The Annual Meeting shall take place during Labor Day weekend. This will include a recap of the season's activities. Members will be elected to the Board by a majority of Voting Memberships present. The new Board will caucus and elect officers.
- 6.2** A Pre-Season Meeting shall be held for the purpose of outlining the programs and budget for the upcoming season. The time and place of this meeting shall be determined by the Commodore.
- 6.3** The Board of Governors, at its discretion, may call a Special Meeting at any time. Notice of any Special Meeting shall be given at least twenty (20) days prior to each meeting.
- 6.4** For the purpose of conducting business at a membership meeting, a quorum consisting of at least ten percent (10%) of the Voting Memberships shall be required.

## **ARTICLE 7. DUES, FEES, EXPENDITURES CONTRACTS**

**7.1** Dues and other fees shall be determined by the Board of Governors and are to be paid by April 1. At least thirty (30) days prior to the due date, a billing shall be mailed. Thirty days after the due date, a letter shall be mailed by the Board of Governors to all Memberships in arrears stating that the Membership shall be terminated if payment is not received in accordance with Section 5.4(b).

**7.2** Dues and Fees are given in Table I below and are presented as a percentage of the Active Membership Dues and Initiation Fee as determined by the Board of Governors.

Table 1. Dues and Fees

<b>Membership Class</b>	<b>Dues</b>	<b>Initiation Fee</b>	<b>Annual Fee</b>	<b>Assessments</b>
Active	100%	100%	100%	100%
Senior	85%	NA	100%	100%
Junior	50%	50% + 50% <sup>1</sup>	100%	100%
Progeny	100%	None <sup>3</sup>	100%	100%
Junior Progeny	50%	None <sup>3</sup>	100%	100%
Inactive	10%	NA	NA	100%
Reciprocal	<sup>2</sup>	None	NA	None
Honorary	None	None	NA	None
Associate	20%	NA	NA	None

<sup>1</sup>50% upon joining and 50% (of fee in effect at joining) upon reaching 30 years of age

<sup>2</sup>As mutually agreed to with DCYC at Deerhaven

<sup>3</sup>This exemption is applicable only once, on initially joining

**7.3** With the exception of normal operating expenses, all indebtedness, capital expenditures or contracts exceeding twenty percent (20%) of the annual operating budget or which extend greater than one year, shall be incurred only if the following conditions are met:

(a) Recommendations of proposed changes of such indebtedness, expenditures or contracts shall be sent to all Voting Memberships at least twenty (20) days prior to a special meeting. This meeting will allow individual feedback on proposals.

(b) After a special meeting, the Board of Governors shall send revised recommendations, if appropriate, to all Voting Memberships by Regular Mail. Approval by at least two-thirds (2/3) vote by written ballot of those voting, shall be required for approval of such indebtedness, expenditures or contracts.

## **ARTICLE 8. PHYSICAL FACILITIES**

The Board may make a contractual arrangement with any person or organization deemed beneficial to the Association and in keeping with Article 1.

## **ARTICLE 9. AMENDMENTS**

These Bylaws may be amended upon recommendation by the Board of Governors and ratification of two-thirds (2/3) of those Memberships voting in person or by ballot. The proposed amendment(s) shall be sent to all Voting Memberships, in the form of a ballot, at least twenty (20) days prior to a regular or special meeting called for the purpose of considering such amendments. Ballots may be cast in person at the membership meeting or by delivery to the Association Secretary five (5) days prior to the meeting date. The Memberships may approve any or all of the proposed amendments as offered. Alternatively, two-thirds (2/3) of those Memberships present and voting may revise the amendments recommended by the Board. In this event, the Board of Governors shall send a ballot containing the revised

amendments to all Voting Memberships by electronic or regular mail. Approval by at least two-thirds (2/3) vote by written ballot of all those voting shall be required for approval of the revised amendments to the Bylaws. To be valid, ballots must be signed and either hand delivered or postmarked for return mail to the Association Secretary not later than three (3) weeks after the date the ballot was postmarked.

**ARTICLE 10. USE OF ELECTRONIC MAIL SERVICES**

The Board may use E-mail or FAX transmissions to Members who use such facilities, for any meeting announcement or distribution of minutes or other data. Members may use electronic media for any communication with the Board that does not require an original signature.