



Lake Belton Yacht Club

Corporate By-Laws October 2012

Article I Organization

This organization shall be known as the Lake Belton Yacht Club and is incorporated under the State of Texas laws as a not-for-profit 501(c)(7), social organization.

This organization shall sponsor the formation of the Central Texas Sailing & Boating Program through the LBYC Fund as a not-for-profit 501(c)(3), community educational boating organization. The organization will have separate By-Laws and utilize the Lake Belton Yacht Club board of directors as their governing body. These provisions are subject to approval by the IRS and the State of Texas.

Article II Object

Section 1: This club is organized for pleasure, recreation, boating safety, community & collegiate sailing, and other non-profitable purposes, substantially all of its activities are, and will be for such purposes, and no part of the net earnings does or will inure to the benefit of any private member or shareholder.

Section 2: Upon dissolution of the Corporation or the winding up of its affairs, assets of the Corporation shall be distributed exclusively to charitable, religious, scientific, testing for public safety, literary, or educational organizations which would then qualify under the provisions of Section 501(c) (3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended. In particular, by these Articles of Incorporation, the Incorporators of this Texas Non-Profit Corporation do hereby specify that upon dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation, if any, shall be distributed to the the RALPH WILSON YOUTH CLUB OF TEMPLE, INC., provided, however, that if the said RALPH YOUTH CLUB OF TEMPLE, INC., is not then in existence, or if it does not qualify as a charitable, religious scientific, testing for public safety, literary, or educational organization, which would then qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as then may hereafter be amended, then and in such event the Board of Directors in charge of the winding up of its affairs shall distribute the assets of the Corporation to some organization which does qualify under section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.

Section 3: The purpose of the Lake Belton Yacht Club is to promote fellowship, attract interested individuals to the sport of sailing and motor boating, and develop individual boating skills. The club will promote safety as the number one priority during all activities and will not participate in or sponsor any activity that is not consistent with the principles of basic safety considerations. While the Lake Belton Yacht Club neither condones nor condemns the consumption of alcoholic beverages at Lake Belton Yacht Club functions, in the interest of boating safety, the Lake Belton Yacht Club will not provide or serve alcoholic beverages at Club expense at exclusive youth and collegiate sponsored functions.

Article III Membership

- Section 1:** The membership of this Club shall be open to anyone interested in sailing or motor boating without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws; provided, however, that the maximum number of members owning only motorboats shall not exceed fifty percent (50%) of the Club membership. Specialty sections (power squadron, sailboard fleet, etc.) may be established within the Club and a special position for a board member (Rear Commodore or Fleet Captain) representing the specialty section may be established. Both actions require approval of the General Membership.
- Section 2:** The name of each new candidate for membership shall be approved by the Membership Committee upon processing of the new members' application and required dues and initiation fee.
- Section 3:** No lapsed member shall be eligible to hold office, entitled to vote, nor to participate in club activities.
- Section 4:** Membership shall not be transferable.
- Section 5:** A lapsed member applying for membership shall be treated as a new applicant except as noted in Article IV, Section 5.
- Section 6:** A member in the Armed Services who is transferred from the area may request inactive status during his absence with monthly dues waived. Upon return to the area, active membership may be resumed upon payment of current dues only.
- Section 7:** Member privileges shall be extended to the spouse and any minor children of a member in good standing. The family membership shall be entitled to one vote, except when two married spouses are elected to the Board of Directors, they shall have two votes (one vote each) only on Board of Director matters.
- Section 8:** Youth Membership (less than 18 years of age) with parental consent, and Collegiate Membership (less than 24 years of age and a full time student), shall be available with the same rights and privileges as an adult member, except that these memberships shall not be entitled to a vote.

Article IV Fees, Dues and Donations

- Section 1:** Initiation Fees shall be one hundred dollars (\$100.00) for new members and shall be payable along with prorated dues to the quarter of the submitted new member application.
- Section 2:** Dues shall be fifty dollars (\$50.00) a quarter or two hundred dollars (\$200) per year, payable annually during the first thirty days of the year, prorated dues to the quarter of the submitted application.
- Section 3:** Youth and Collegiate Memberships shall be twenty five dollars (\$25.00) a quarter or one hundred dollars (\$100.00) per year payable annually, prorated dues to the quarter of the submitted application. The initiation fee is waived.
- Section 4:** Any member not paying his/her dues within sixty days (60) of the beginning of a new year shall be notified by the treasurer by email or in writing. Failure to pay within ninety days (90) of notification will result in the member being considered lapsed and he/she will be notified by the Commodore in writing that his/her rights and privileges have been terminated.
- Section 5:** A member who tenders his resignation, in by email or letter, to the Board, while in good standing, may be reinstated. He or she will not be subject to a second initiation fee unless the initiation fee at the time of rejoining is higher than the time he or she resigned. In this case, the reinstated member pays only the difference between the two initiation fees.
- Section 6:** Donations shall be accepted and may be earmarked for specific use; otherwise, donations will be included in the general fund.
- Section 7:** As an incentive to promote membership growth, members who sponsor 3 new members in the calendar year will receive their next year membership at no cost.

Article V Board of Directors

The affairs and property of this organization shall be managed by the Board of Directors. The officers of the Club shall consist of its Board of Directors. The Board of Directors shall be empowered to make any decision, within the constraints of the approved budget, as would benefit the membership of this Club, except to incur indebtedness which must be approved by a three-fourths (3/4) vote of a quorum consisting of forty percent (40%) of the membership in good standing.

Article VI Officers and Method of Electing

Section 1: The officers of the Club shall consist of Commodore, Rear Commodore, Secretary, Treasurer, Race Captain, and Cruise Captain.

Section 2: Officers will be elected at the 4th quarter General Membership meeting and shall hold office for one year. During the month of August, the nominating committee shall nominate a candidate for each office who has indicated his or her willingness to accept the nomination. The proposed slate of officers will be presented to the Board of Directors at the 4th quarter executive meeting. The Club membership will be notified by email, or in writing of the nominations. Other nominations may be made at this time by any member of the Club (orally, by email, or in writing), but the nominations must be made prior to the start of elections during the 4th quarter General membership meeting. Vacancies in unexpired terms of Board of Director members shall be filled by the Commodore with the approval of the remaining Board members. Such replacements will serve the remainder of the term of office. If the Commodore is unable to complete his/her term of office the Rear Commodore will assume the position of Commodore and complete the current term. The new Commodore will appoint a new Rear Commodore (with approval of the remaining Board Members) to serve only the remaining term of office. Any Board member who is absent from two board meetings without prior notification to the Commodore will be considered inactive and to have resigned as a Board member.

Article VII Officers' Duties

Section 1: It shall be the duty of the **Commodore** to preside at board meetings and general membership meetings. He/she shall serve as ex-officio member of all committees except the Nominating Committee.

In addition the Commodore:

- Follows the LBYC Charter and Bi-Laws to ensure compliance with non-profit tax status.
- Sets agenda for board and general membership meetings.
- Generally requires members to request to be put on the new/old business agenda in advance of the meeting to ensure a proper amount of time is allotted for debate.
- Generally uses Roberts Rules of Order to hold board and general membership meetings.
- Ensures programs are scheduled for the year calendar.
- Maintains:
 - LBYC Charter
 - LBYC Bi-Laws
 - Community Sailing Program guidelines
 - Collegiate Sailing Program guidelines
 - Guidelines (boating safety & qualifications) for use of club owned boats.
- Appoints a chairman of the Collegiate Sailing and Central Texas Community Sailing programs.
 - Recruits youth and volunteers for programs
 - Recruits coaches
 - Submits financial requests to the board and LBYC members
 - Attends fundraising and media events
- Selects and presents Commodore Service Award.

Section 2: It shall be the duty of the **Rear Commodore** to assist the Commodore in the discharge of his/her duties and to officiate in his/her absence.

In addition the Rear Commodore:

- Is the nominating committee chair for selection of the board member slate of officers for the new year.
- Is chairman of the membership committee:
 - Mails or provides membership applications to prospective members.
 - Promotes membership increases by encouraging members to take advantage of the incentive: sponsor new members with dues and initiation fees totaling \$800, cumulative over the necessary years, (does not include fundraising dollars nor Sailing Course revenues) get your membership free for the next year!
 - Maintains secure membership roster with contact numbers, email address, boat type and name and will e-mail a copy to the membership as needed.
- Membership package; assembles and provides to the members:
 - Welcome letter
 - LBYC burgee
 - Membership roster
 - About LBYC flyer, volunteer opportunities
 - LBYC Charter
 - LBYC By-Laws
 - LBYC Sailing Instructions
 - Past board member/Past awards
 - Basic sailing and racing rules
 - Map of Lake Belton/Pursuit Fun Race Chart/Time & distance charts/PHRF chart
 - Emergency telephones numbers
 - VHF cruise and race channels used
- Fundraising Chair:
 - Special projects or benefits
 - Community Sailing Program (CSP)
 - Central Texas Collegiate Sailing Program
 - University of Mary Harden Baylor (UMHB CruSailors) sailing team
 - Southwestern University sailing team
 - Baylor (Baylor Sailors) sailing team
 - A&M Central Texas, Central Texas College, Temple College sailing clubs
 - High School Sailing Program
 - Temple HS, Belton HS, Killeen HS, Harker Heights HS, Ellison HS, Copperas Cove HS, Salado HS, Little River HS, Moody HS

Section 3: It shall be the duty of the **Secretary** to take, maintain, and submit for approval or amendment, minutes at board meetings and general membership meetings. He/she will submit a copy of the minutes to the Commodore for historical filing. Copies of the minutes are available to the membership upon request.

In addition the Secretary:

- Is the Chairperson of the Publicity Committee.

Publicity:

Appoints the Scuttlebutt editor.

Maintains media contacts (radio, newspaper, and television).

Maintains the internet Lake Belton Yacht Club Yahoo Group restricted membership site.

Section 4: It shall be the duty of the **Treasurer** to have custody of the Club funds and accounts and prepare a statement of financial condition of the Club for each board meeting and meeting of the general membership for amendment and approval. He/she will submit a copy of the report to the Commodore for historical filing. Copies of the financial statement are available to the membership upon request.

In addition the Treasurer:

- Keeps books on all transactions and donations.
- Pays all obligations approved on the budget with a submitted receipt of expenditure.
- Posts budget on the Lake Belton Yacht Club Yahoo Group site.
- Collects membership dues annually.
 - Sends notice of delinquency by email.
 - Notifies Commodore to call members to encourage continued membership or inform member how to resign in good standing and why (Able to re-enter LBYC without payment of initiation fee).
- Notifies Commodore to send dropped member letter.
- Notifies the Commodore of amount donated and name and address of donors.
- Maintains separate ledger for:
 - General Fund
 - Expansion Fund
 - Community & Collegiate Sailing Fund
- Submits proper forms and/or audit of the books completed by an independent CPA when necessary for IRS required filing.

Section 5: It shall be the duty of the **Race Captain** to organize the club racing programs:

In addition the Race Captain:

- Sets race schedule for the New Year in December. Works with the Cruise Captain to prevent scheduling overlap of functions.
- Assigns members for safety/race committee commitments for the upcoming year at the December meeting for scheduled races.
- Acquires and presents racing trophies at the December General Membership meeting.
- Maintains LBYC Sailing Instructions and posts on the Lake Belton Yacht Club Yahoo Group site.
- Chairperson of the Handicap Committee.
- Protest Committee, when necessary, is generally chaired by the safety/race committee designee.
- Maintains race captain brief case and stored at the Lake Belton Yacht Club "Boat House" dock storage room at Franks Marina:
 - Score sheets, Timer, Hand-held start horn, PHRF chart, and Portsmouth chart

- Maintains the following:
 - Temporary marks, anchors and rode; Permanent marks, anchors and rode;
 - Race flags, Notice boards, Bull horn; Lake Belton map with grid for mark distances;
 - Board boat docks; Boardboats and keelboats; Fuel for borrowed, safety/committee boats;
 - Guidelines for membership use of LBYC owned and borrowed boats program;
- He/she shall be the TYA representative for the Club.
- Interim Sailing Programs Director for the Central Texas Sailing & Boating Program to include collegiate and community educational sailing programs. The Commodore may appoint a director as needed.

Section 6: It shall be the duty of the **Cruise Captain** to be responsible for all cruise schedules for raft ups, general membership meetings, socials, and fundraisers for the New Year. Traditionally recruits volunteers for parties and cruises at the 4th quarter General Membership party for the year. Works with the Race Captain to prevent scheduling overlap of functions.

In addition the Cruise Captain:

- Presents “Born to Cruise” award at the December General Membership party.
- General Membership meetings/parties are generally held so that all members have an opportunity to attend either by boat or by automobile.
- General guidelines for cruises/parties:
 - Winter: Generally held at local restaurants, conventions or party rooms, members’ homes, or larger motor yachts.
 - Spring: Generally held on the water or on the Lake at an outdoor pavilion.
 - Summer: Generally held on the water in the evening when it is cooler, or overnight raft ups
 - Fall: Early fall is usually nice cool evenings or afternoons for on the water cruises.
- Volunteers who host functions generally pick the theme.
- Submits a Cruise Captain report to the board, club members, and Vice Commodore for publicity.
- Posts updated Cruise Calendar with functions on the Lake Belton Yacht Club Yahoo Group site and emails members a copy.

Article VIII Meetings and Agendas

Section 1: General membership meetings will be held quarterly.

Section 2: A special board meeting may be called by the Commodore at any time or at the request of any six members. Board meetings will be held quarterly by the Commodore.

Section 3: The Commodore will specify the purpose of each meeting and establish an agenda which will include starting and completion times for the meetings.

Section 4: Any member can submit issues he/she wishes to have the Board consider by calling/writing the Commodore and requesting that the issue be added to the next Board meeting agenda.

Article IX Standing Committees

Section 1: The standing committees shall be Membership, Race, Handicap, Publicity, Sailing Programs, and Newsletter. Each chairperson may appoint members to his/her Committee. The Commodore may appoint additional standing committees and/or special Committees as the Board shall direct.

Article X Amendments

Amendments may be made to these by-laws at a general membership meeting, or a special meeting, by three-fourths (3/4) vote of a quorum consisting of forty percent (40%) of the membership in good standing, provided the amendments have been read at a previous board meeting, accepted by the board, and are made by email or in writing to the general membership. A vote by proxy may be cast.

Article XI Budget

Section 1: The Board will prepare an annual budget of operating funds and submit it to the General Membership for approval during the 1st quarter General Membership meeting by three-fourths (3/4) vote of a quorum consisting of forty percent (40%) of the membership in good standing. A vote by proxy may be cast. Any additional expenditure not included in the budget will also require approval of the General Membership by the same voting method.

Section 2: The Interim Sailing Programs Director for the Central Texas Sailing & Boating Program will prepare an annual budget of operating funds and submit it to the General Membership for approval during the 1st quarter General Membership meeting by three-fourths (3/4) vote of a quorum consisting of forty percent (40%) of the membership in good standing. A vote by proxy may be cast. Any additional expenditure not included in the budget will also require approval of the General Membership by the same voting method. Proceeds of the sale of donated boats, revenues from sailing programs, or fundraisers, shall be used in accordance with the long term asset management plan and operational costs of the program.

Section 3: To protect cash assets, operating funds will be maintained separately (through the budget process) from funds retained for specific projects (expansion, improvements, community & collegiate sailing programs, etc.). Commitment of specific project funds will require approval of the General Membership.

Section 4: The proposed use of funds accrued during fund raising events will be stated prior to beginning the fund raising event.