

**CONSTITUTION  
OF  
THE MOHICAN SAILING CLUB**

**ARTICLE I  
NAME**

This organization shall be known as The Mohican Sailing Club.

**ARTICLE II  
MISSION STATEMENT**

The mission of this Club is to bring to the area the means and facilities for family participation in sailing and one-design sailboat racing. The Club shall provide and maintain a suitable clubhouse and anchorage for the recreation and use of its members.

**ARTICLE III  
OFFICERS**

The officers shall be Commodore, Vice Commodore, Rear Commodore, Secretary, and Treasurer, each of whom shall be a member in good standing.

**ARTICLE IV  
DUTIES OF OFFICERS**

**Section 1.** It shall be the duty of the Commodore: (1) to preside at all meetings of the Club and at all meetings of the Board of Trustees; (2) to enforce all rules and regulations of the Club; (3) to appoint such committees as may be authorized or deemed necessary to carry out the affairs of the Club.

**Section 2.** It shall be the duty of the Vice Commodore: (1) to assist the commodore in the performance of his or her duties and to officiate in his or her absence; (2) to be the chairman of the House Committee and have charge of the enforcement of all house rules and maintenance of the club house and grounds.

**Section 3.** It shall be the duty of the Rear Commodore: (1) to assist the commodore and the vice commodore in the performance of their duties and to officiate in their absence; (2) to be the chairman of the Dock Committee and to maintain suitable docking and mooring facilities for the membership.

**Section 4.** It shall be the duty of the Secretary: (1) to keep minutes of the meetings of the Club and of the Board of Trustees, in books provided for that purpose, and to have the custody of all reports and documents connected with the proceedings of the Club; (2) to keep a correct roll of the members with the dates of their election to membership; (3) to receive application s for membership, to transmit the same to the Membership; (4) to notify each member-elect of his or her election to membership; (5) to notify each rejected applicant of rejection to membership; (6) to keep a correct list of the sailboats enrolled in the Club; (7) to conduct the correspondence of the Club, and in case of special meetings to state the business intended; to notify members of their election to office, and of their appointment to serve on committees, and to perform such other services as may be required by the Club or by the Trustees.

**Section 5.** It shall be the duty of the Treasurer: (1) to have charge of the funds of the Club and to keep a correct account of all monies received and paid out, in a book provided for that purpose, and, under the direction of the Board of Trustees, to disburse the funds; (2) to deposit the funds in the name of the Club in a depository or depositories approved by the Board of Trustees; (3) to present at each stated meeting and whenever so requested by the Board of Trustees a detailed account showing the financial condition of the Club; (4) to collect all funds such as dues, canteen, rentals, etc., and to record and deposit to the account of the Club as directed in items (1), (2), and (3) above; (5) to prepare a complete budget of income and expense for the upcoming year, by January 1 of each year. Said budget to be presented to the Trustees for their review and approval prior to the submittal to the membership at the Spring Stated meeting.

## **ARTICLE V TRUSTEES**

There shall be a Board of Trustees, which shall consist of the Commodore, Vice Commodore, Rear Commodore, Secretary, Treasurer, and five (5) other members in good standing.

## **ARTICLE VI POWERS AND DUTIES OF THE BOARD OF TRUSTEES**

**Section 1.** The Board of Trustees shall hold meetings as needed to manage the affairs of the Club as defined in this document.

**Section 2.** Five members shall constitute a quorum.

**Section 3.** The Board shall have entire authority in the management of the affairs and finances of the Club, and shall have general control of all its property. All rights and powers connected therewith shall be vested in it.

**Section 4.** The Board shall make such rules as it deems proper concerning the use of the club house and grounds, prescribing rules for the admission of strangers, fixing penalties for offenses against the rules, and making rules for its own government and for the government of the committees appointed.

**Section 5.** All appropriations of the funds of the Club shall be made by the Board of Trustees.

**Section 6.** The Board shall audit the accounts of the Secretary, Treasurer, and of the committees.

**Section 7.** The Board shall elect to membership in the Club, as hereinafter provided, such candidates as it considers desirable. Such elections must be by ballot at a regular meeting of the Board. No rejected candidate shall be eligible for membership within six months after such rejection. A majority vote of the Trustees is required for approval of a candidate for membership.

**Section 8.** The Board shall have the power to suspend or expel any member for violation of the Constitution of Bylaws. Or for conduct which it deems improper or prejudicial to the Club. But no member shall be expelled or suspended for longer than thirty days without a hearing.

**Section 9.** The Board may, as hereinafter provided, drop from the roll any delinquent member and also may reinstate such member, as hereinafter provided.

**Section 10.** The Board shall appoint all standing committees, with full authority over them, except as hereinafter provided, and shall appoint such other committees as shall seem to be necessary.

## **ARTICLE VII STANDING COMMITTEES**

**Section 1.** The standing committees shall be: Membership Committee, House Committee, Dock Committee, Race Committee, and a committee or committees responsible for the holiday events, regatta events, and other special social events as directed by the Board of Trustees. They shall be appointed annually by the Board of Trustees at the first regular meeting of the new officers after the regular annual election.

**Section 2.** The Membership Committee shall consist of a chairman and two other members. They shall investigate and pass upon the qualification of all candidates for membership, reporting their conclusions to the Board of Trustees.

**Section 3.** The House Committee shall consist of the Vice Commodore as chairman and four or more other members. They shall have charge of the general management and maintenance of the club house and grounds.

**Section 4.** The Dock Committee shall consist of the Rear Commodore as chairman and four or more other members, who shall locate the moorings of the Club and have control of docking facilities. It shall be their duty to keep the dock(s) in good condition and to furnish the membership with suitable moorings.

**Section 5.** The Race Committee shall consist of a chairman and three or more members (at least one from each class of boats raced), which committee shall arrange all races. They shall prepare and mark a suitable race course and compute the results so that they may be posted each week in the club house. They shall have charge of preparing and publishing Club rules necessary to sailboat racing, consistent with the rules published by U.S. Sailing or any successor national sailing authority.

**Section 6.** The committee or committees responsible for the holiday events, regatta events, and other special social events as directed by the Board of Trustees shall consist of a chairman and three or more members. These committees shall have charge of all recreation and entertainment of the Club. It shall be their duty to prepare a complete entertainment program for the entire year.

### **ARTICLE VIII ELECTIONS**

**Section 1.** The Commodore, Vice Commodore, Rear Commodore, Secretary, and Treasurer shall be elected at the fall stated meeting of the Club, and shall hold office until the next fall stated meeting or until their successors are elected. They shall take office immediately after the conclusion of the stated meeting at which they were elected.

**Section 2.** The five trustees shall be elected in classes of two, two, and one in successive years for three year terms. The class of trustees shall be elected at the fall stated meeting of the Club, and shall hold office until the next fall stated meeting or until their successors are elected. They shall take office immediately after the conclusion of the fall stated meeting at which they were elected. In the year adoption, the five trustees shall draw lots to determine their class, with two trustees to retire in the year of adoption, two to serve for one additional year, and one to serve for two additional years.

**Section 3.** The outgoing Commodore and Trustee(s) shall serve as the nominating committee. Nominees will be announced at least 10 days prior to the stated meeting via mailing to all members in good standing. Nominations will be accepted from the floor of the stated meeting. After nominations are closed, voting shall be by ballot of members in good standing with a majority of votes cast being required for election to office. Voting by ballot may be waived by unanimous consent of the members in good standing present.

**Section 4.** All vacancies in elective offices shall be filled by the Board of Trustees.

### **ARTICLE IX MEMBERSHIP**

Section 1. Any person interested in sailing or in promoting the interests of the Club shall be eligible as described under Article XII, Dues. Member applicants must be 21 years of age.

Section 2. Applications for membership must be subscribed by the candidate who must state his or her name, occupation, and address, and include an agreement to comply with the Constitution and Bylaws. All applications shall be sent to the Chair of the Membership Committee, who will convene a meeting of the committee to review the application and make necessary arrangements to submit the application to the next meeting of the Board of Trustees for action. All proceedings of the Board of Trustees upon any proposal for membership, except the final action thereon, and all communications to them or to the Membership Committee in reference thereto, shall be treated as confidential.

Section 3. Any member in arrears for dues for a period of three months shall be notified by mail by the Treasurer at the member's last known address of the full amount due. If the amount stated is not paid in full within one month thereafter, the name of the delinquent shall be reported by the Treasurer to the Board of Trustees at its next meeting. The Board of Trustees may drop from the roll the name of such delinquent, who shall thereafter be excluded from access to the club house and grounds. A member dropped from the roll for nonpayment of dues may, upon payment of the same, at the discretion of the Board of Trustees, be reinstated to full membership.

Section 4. No member in arrears for dues shall be eligible to hold office, to vote, or to enter any race.

Section 5. Any member not in arrears for dues may tender a written resignation of his membership to the Secretary, who shall report the same to the Board of Trustees at its next meeting for action.

Section 6. Any member not in arrears for dues may request a demit form membership, which may be granted by the Board of Trustees for a period of one year. Reinstatement must be requested and granted within this one year period, otherwise Section 2 above will apply.

Section 7. Members shall be responsible for the conduct of all persons admitted to the club house or grounds as their guests.

Section 8. A member in good standing is one who has their dues and fees paid to date. A member in good standing is in compliance with all Club rules and guidelines and contributes to the well being of the Club. The Board of Trustees will make all final determinations as to the interpretation of these requirements.

#### **ARTICLE X MEETINGS**

**Section 1.** The annual meeting of the Club shall be held within 15 days of November 1 (the fall stated meeting) and another stated meeting shall be held within 15 days of May 1 (the spring stated meeting) of each year.

**Section 2.** The Secretary shall call special meetings at the direction of the Commodore, at his or her discretion, or upon the written request of ten members in good standing.

**Section 3.** Ten members in good standing shall constitute a quorum for the transaction of business.

**Section 4.** Notices of stated and special meetings shall be mailed to every member in good standing at least five days in advance thereof.

**Section 5.** No business shall be transacted at a special meeting except that of which notice was given.

#### **ARTICLE XI DISCIPLINE**

Any member or members having a complaint against another member for the infraction of any law or rule, other than sailing rules, or for conduct injurious to the welfare of the Club, may report the same in writing to the Board of Trustees. Such complaint shall set forth the facts of the case, together with the names of witnesses, if any. After receiving such complaint, a meeting of the Board of Trustees shall be held as soon as practicable to investigate the same. The complainant or complainants and the member complained of shall receive at least five days notice of this meeting, and may be heard with their witnesses. The statements and evidence shall be reduced to writing and filed with the Secretary. The Trustees shall have power to suspend or expel a member thus complained of, or may impose other penalty. The decision of the Trustees shall be filed with the Secretary, and the Secretary shall mail copies thereof to the complainant or complainants and to the member complained of. An appeal from the decision of the Trustees may be taken to the Club within five days thereafter by serving upon the Secretary a written notice of such appeal. A

special meeting shall thereupon be called for the consideration of the case, and a two-thirds vote shall be necessary to reverse the decision of the Board of Trustees.

## **ARTICLE XII DUES**

**Section 1.** It shall be the duty of the Board of Trustees to prepare a complete budget of income and expense for the following year for submittal to the entire membership in written form at least ten days before the stated spring meeting. The Board of Trustees shall have sole authority to set a schedule of dues for each year based on the budget. An initiation fee may also be charged to new members after an introductory period at the discretion of the Board.

**Section 2.** Members willing to work for the Club on special projects (excluding preparation and installation or removal of docks and moorings) shall be credited or reimbursed on dues at a rate determined by the Board of Trustees, provided such labor is under supervision of an officer of the Club. Annual maximum credit allowed is the amount of full family membership dues.

**Section 3.** Annual dues and fees, and applicable taxes, shall become due and payable March 30 of each year. New members admitted to the Club prior to August 1 of each year shall pay dues for one year. Those admitted after August 1 shall pay dues for one-half year.

**Section 4.** Full family membership. Unlimited use of the club, boats and racing for family and children (children defined as those living at home or attending school away from home).

**Section 5.** Categories of membership beyond Full Family Membership as defined above may be created as deemed necessary by the Board of Trustees.

## **ARTICLE XIII DISSOLUTION**

In the event of the dissolution of the club by a two-thirds vote of all members present at a meeting duly called for the purpose, the remaining assets of the club shall be distributed to a charitable organization to be agreed upon by majority vote of the members present. In the event of a disagreement among the membership where a majority vote cannot be obtained, the default recipient of the assets of the club shall be the American Red Cross.

## **ARTICLE XIV AMENDMENTS**

The Constitution may be amended at any meeting of the Club by a two-thirds vote of all members present, provided the proposed amendment has been recommended or approved by the Board of Trustees, and a copy thereof has been mailed to every shareholder at least ten days prior to the stated meeting.

Constitution adopted at the stated meeting held October 9, 1945.  
Amended October 1946, January 1951, February 1952, February 1970,  
November 1988, May 1998, May 2008.