

Veterans of Foreign Wars of the United States

Jerry V. Horn Memorial Post 10046

134 N. Birch

Soldotna, Alaska 99669

BY-LAWS

ARTICLE I: Name and Jurisdiction

SECTION 1. By virtue of and in accordance with the charter granted, this organization shall be known as the Jerry V. Horn Memorial Post 10046, Veterans of Foreign Wars of the United States.

SECTION 2. The jurisdiction of the Post shall be confined to the areas agreed upon between Post 10046 and the Department of Alaska.

ARTICLE II: SUBORDINATE AND GOVERNING BODY

SECTION 1. The supreme authority of the Post shall be vested In the National Convention of the Veterans of Foreign Wars of the United States and shall be at all times governed by:

- a) Its Congressional Charter and By-Laws;
- b) Orders issued by the authority of the National Convention
- c) National Council of Administration;
- d) Commander-in-Chief;
- e) Department Commander;
- f) Department Convention; and
- g) The Department Council of Administration

For the purposes of this article and section, resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE III: OFFICERS

SECTION 1. The officers of this Post and their nomination, election, or appointment and term of office shall be in accordance with the provisions of the National By-Laws.

SECTION 2. The vacation and filling of all Post offices shall be in accordance with the provisions of the National By-Laws.

SECTION 3. The authority of the Post Officers shall not violate any of the rules spelled out in these By-Laws.

ARTICLE IV: DUTIES OF POST OFFICERS

SECTION 1.

The duties of all Post 10046 Officers shall be those as prescribed by the National By-Laws, by lawful orders of the National Council of Administration or by the Commander-in-Chief, and such additional duties as the By-Laws of the Department Council of Administration, or the Department of Alaska may direct in writing.

ARTICLE V: POST DUES

Section 1. The annual per capita dues of this Post shall be forty-five dollars (\$45.00) per active member in good standing (with the exception of paid-up Life Members) to be paid in accordance with the provisions of the National By-Laws.

ARTICLE VI: POST HEADQUARTERS

SECTION 1. Headquarters for Jerry V. Horn Memorial Post 10046, Veterans of Foreign Wars, shall be located at the address of 134 North Birch Street, Soldotna, Alaska 99669.

ARTICLE VII: POST MEETINGS

SECTION 1. Post regular business meetings shall be held on the second Tuesday of each month at 1800 hours with the exception of legal holidays; such meetings may be cancelled, but rescheduled during that month.

SECTION 2. Special business meetings may be called in compliance with Section 203 of the National By-Laws and Manual of Procedures.

SECTION 3. A quorum of at least 4 members plus the Post Commander must be present before a regular business meeting or special business meeting can be conducted.

ARTICLE VIII: VOTING BY BALLOT

SECTION 1. All major issues of the Post shall be voted on by ballot. Post Officers must obtain a majority approval by ballot vote prior to exceeding seven hundred fifty dollars (\$750.00) expenditure for any exchange of Post Funds including, but not limited to debts, investments, raffles or other activities. The voting by ballot shall be conducted at the Post meeting and voting may only be accomplished by members in attendance at the meeting where the proposition to expend funds is being considered. In addition to other legal requirements under existing laws, the Post shall not purchase, sell or mortgage any real estate unless written notice of such proposal has first been given to each member of the Post ten (10) days prior to the regular or special meeting at which the proposal is to be considered and then only by two-thirds (2/3) approval of those members present (in person or by electronic means) and voting at such regular or special meeting.

ARTICLE IX: APPOINTMENTS AND DUTIES

SECTION 1. The Post Commander shall appoint all committees, committee chairmen, except House Committee who's chair will be elected by the committee, and directors of activities not specifically

provided for by the National, Department and Post By-Laws or by order of the Commander or Department Council of Administration and they shall serve at his/her pleasure.

SECTION 2. The standing committees and chairmen shall be as follows:

- a) House Committee – as provided in Article X, Section 3;
- b) Membership committee – Senior Vice, Chairman;
- c) Community Service Committee – Junior Vice, Chairman;
- d) Membership Investigative Committee – Senior Vice, Chairman;
- e) Investigating Committee for Donations – Junior Vice, Chairman;

SECTION 3. Only the Commander, Quartermaster, Senior Vice, or other officers approved by the Post will be signatory to Post 10046 Banking Accounts. The Canteen Manager will be signatory to Post Gaming and Canteen Banking Accounts

ARTICLE X: RULES AND REGULATIONS FOR THE OPERATION OF CANTEEN AND ACTIVITIES

SECTION 1: DEFINITION: For the purposes of these rules and regulations, "Canteen" or "Activity" is defined as an activity sponsored by the Post or other subordinate unit of Jerry V. Horn Memorial Post 10046.

SECTION 2. OPERATION OF CANTEEN AND ACTIVITIES: This Post shall not operate a Canteen or other activities except under the control of a House Committee as defined in Section 3 of this Article.

SECTION 3. **HOUSE COMMITTEE:** This Post shall establish a House Committee of not less than five (5) members.

- a) The Commander shall appoint two (2) members and three (3) members that be elected by the membership. Trustees shall not serve on the Committee, nor work as an employee. Any member of the committee may be removed for cause by a majority vote of the Post at any regular meeting if such action is presented to all members at least fourteen (14) days prior to the meeting.
- b) The Post Quartermaster shall be the Treasurer and Financial Advisor to the Committee, but not a voting member.
- c) Actions of this Committee shall be subject to ratification by the Post.
- d) The Commander, Quartermaster, and Trustees shall not serve as voting members as defined in (a) of this Section. Other members of the Post may be Committee members regardless of other positions held.
- e) The Canteen may not employ the Commander, Quartermaster, Trustees and/or the House Committee members at any time.

SECTION 4. MEETINGS: At least once a month, a meeting of the House Committee shall be held. The meeting will be called by the Chairman or a majority of the Committee and a notice of the meeting will be posted in the Post Home at least seven (7) days prior to the meeting. The Committee may call special meetings without prior notice as required above in an emergency, disciplinary action or other matter

requiring immediate attention provided that all National, Department, and Post requirements relating to the matter are met and that no other normal business is conducted at the meeting.

SECTION 5. DUTIES OF THE HOUSE COMMITTEE: The house Committee shall supervise and control all activities in the Post Home and other activities as defined in Section 1. This is subject only to specific order of the Post. The Committee shall elect one member of the Committee as Chairman. One member shall be elected Secretary. The Secretary will keep minutes of all meetings and present a report to be read at the next regular meeting of the Post. The Secretary will submit a copy of the minutes to the Post Adjutant.

The House Committee Chairman shall preside over all meetings of the Committee and shall be the contact person for the Canteen Manager. The House Committee Chairman shall be informed of the day-to-day activities of the Canteen and shall assist the Canteen Manager in resolving issues that may arise concerning operations. The house committee Chairman shall not become directly involved in the supervision of employees, work schedules, handling of funds or inventory.

SECTION 6. OPERATION AND PERSONNEL

- a) **Manager:** If needed, the Committee shall recommend a Manager to operate the Canteen or activities, subject to their instructions. The recommended Manager must be approved by a majority of the Post members at a regular meeting. The Manager shall report directly to the House Committee.
- b) **Employees:** The Committee shall approve or disapprove employment or termination of all personnel recommended by the Manager. Employees will report to the Manager.
- c) **Financial Records:** The Manager shall maintain adequate financial records as established by the Committee or Post. The Manager shall submit monthly reports (or more often if requested by the Committee or the Post) showing assets, liabilities, net worth, "profit-and-loss" and other activities of the Canteen. The report shall be in writing and made part of the Adjutant's minutes.
- d) **Records and Inventories:** All Canteen financial records and properties shall be audited and approved or disapproved by the Post Trustees or qualified accountants appointed by them at least quarterly as approved by the Post.

SECTION 7. FUNDS: It shall be the duty of the Quartermaster to obtain, from the Manager, all funds and receipts acquired by the Canteen and activities on a timely basis. The House Committee shall establish a specified sum to be used for operating capital. No expenditure shall be made for furniture, furnishings or equipment to exceed five hundred dollars (\$500.00) without prior approval of a majority of the Post members at any regular meeting with the exception of emergency repairs. Emergency repairs may not exceed five hundred dollars (\$500.00) without Post approval (except on approval of 5 Post officers by phone vote).

SECTION 8. CONDUCT: Good order shall be maintained at all times on the premises of the Post Home. Canteen privileges shall be discontinued to a person in violation of these privileges. The person shall immediately leave the premises and be temporarily suspended from the Canteen until the House

Committee takes further action. Any person in violation of any of the following rules will be subject to temporary suspension and committee review:

- a) Knowingly discusses sensitive or internal affairs of the Veterans of Foreign Wars or any of its members, with or in the presence of a non-member of the Veterans of Foreign Wars;
- b) Violates their obligations as a member or officer of the Veterans of Foreign Wars;
- c) Becomes obnoxious, offensive or whose conduct reflects discredit in any manner of the Veterans of Foreign Wars or any of its members;
- d) Violates any Rule, Regulation, By-Law, law of the United States, State of Alaska, Borough, City, Veterans of Foreign Wars or the Post;
- e) Become intoxicated or arrives intoxicated on the premises or;
- f) Creates a scene or participates voluntarily in a scene, fracas or disorderly conduct on the premises.

SECTION 9. ENFORCEMENT: The Manager or employee on duty shall be held responsible for strict enforcement of good order, the Rules and Regulations provided, and shall be immediately dismissed by the House Committee for failure to do so.

- a) At no time shall the bartender on duty leave the perimeter of the bar to settle or dispose of confrontation between members or invited guests, but may call upon a member for help if necessary. The bartender on duty has the right to expel any member or guest for violation of Section 8 (c), (e) or (f). The member or guest shall be temporarily suspended from the Canteen until the house committee takes further action. Any temporary suspension of a member by a bartender or manager shall be reported to the House Committee Chairman within twenty-four (24) hours of the incident with full documentation of the incident.
- b) **FURTHER SUSPENSION OF CANTEEN PRIVILEGES:** The House Committee shall convene at a meeting within seven (7) days of the date of the suspension of any person for the purpose of considering further suspension of any person for the purpose of considering further suspension. This meeting may be continued up to but not more than fifteen (15) days at the request of the accused. After hearing the charges and circumstances and allowing the accused an opportunity to be heard, the Committee may impose an additional suspension of privileges of not less than three (3) days or more than ninety (90) days. The hearing will be conducted informally. It shall be considered a duty of all members having knowledge of any facts relevant to the incident to attend and assist the Committee.
- c) Any member suspended from the Canteen has the right to appear before the Committee and "call" witnesses.
- d) Any member has the right to appeal the decision of the Committee to the Post membership at the monthly meeting following the Committee's decision.

SECTION 10. ENJOYMENT OF CANTEEN FACILITIES: All members in good standing of the Veterans of Foreign Wars, the VFW auxiliary, and BONA FIDE guests shall be entitled to enjoy the Canteen and facilities.

BONA FIDE GUESTS INCLUDE:

- a) Non-members accompanied by a member who must leave at the same time as the member;
- b) Members of an outside veterans organization or group (non-profit) whose functions are similar to that of the Veterans of Foreign Wars are allowed to use the Post facilities for meeting purposes only; and
- c) Military personnel in uniform on active duty who are extended the privilege upon special occasions.

SECTION 11. CLOSED PERIODS: Canteen facilities will not be open during any Veterans of Foreign Wars meeting or open installation held on the main floor.

SECTION 12. U.S. INTERNAL REVENUE TAX FORMS AND INFORMATION: A copy of all tax information and forms required by the Internal Revenue Service (IRS) with relation to activities, financial or other, shall be filed with the Veterans of Foreign Wars, Department of Alaska immediately (this includes particular references to Form 990, Annual return of Organization Exempt from Tax). A copy of income tax forms required by the IRS shall be filed with the Department with evidence of payment of any tax that lay be due. Any tax liability incurred by Veterans of Foreign Wars Post and its Sub-Units that may result in an assessment, loss of property, or funds shall be immediately reported to the Commander-in-Chief, Veterans of Foreign Wars, and the Department of Alaska.

ARTICLE XI: AMENDMENTS

These by-laws of the Jerry V. Horn Memorial Post 10046, Veterans of Foreign Wars, may be amended at a regular meeting by a majority vote of all the members present, provided the amendments are in writing and provisions of presentment have been complied with. No amendment shall be effective until the Commander-in-Chief has approved it.

I certify that the above is an accurate and true copy of the By-Laws of Veterans of Foreign Wars, Jerry V. Horn Post 10046, Soldotna, Alaska, as approved by the membership on _____.

Commander

House Chairman