



Howard County Vietnam Veterans Organization, Inc.

By-Laws

ARTICLE I: IDENTIFICATION

For any and all purposes, the name of this organization shall be the Howard County Vietnam Veterans Organization, Inc.; further, the words "Howard County Vietnam Veterans" must always be a part of the name of this organization now and in the future for so long as the organization continues to exist as a non-profit organization under the laws of the state of Indiana.

ARTICLE II: STATED PURPOSES

The stated purposes of this organization are as follows:

1. To work for the betterment of all veterans.
2. To provide service to veterans.
3. To serve our community, state and nation.
4. To promote the annual Howard County Vietnam Veterans Reunion, Sandbox Reunion, and all other activities.
5. To preserve, maintain and promote improvements to any and all property(s) owned and operated by the Howard County Vietnam Veterans Organization, Inc.

ARTICLE III: MEMBERSHIP

SECTION I: MEMBERSHIP CLASSIFICATION



There are five classes of members; if a veteran, then a copy of the DD-214 or other appropriate documentation shall be kept on file in the office.

#### 1. Vietnam Veterans

Vietnam veterans are any persons, who as members of the Armed Forces of the United States served in the country of Vietnam or the Vietnam Theater between July 7, 1959 and May 7, 1975. Proof of service shall be made by submission of a DD-214 form

#### 2. Vietnam Era Veterans

Vietnam era veterans are any persons who served as members of the Armed Forces of the United States, including reserve components between July 7, 1959 and May 7, 1975. Proof of service shall be made by submission of a DD-214 form

#### 3. Veterans

Veterans are any persons who have served in the Armed Forces of the United States in any war or designated active military conflict and/or during peacetime. Proof of service shall be made by submission of a DD-214 form

#### 4. Associate

Associate members are any persons who are interested in and/or who support through active participation, the stated purposes of HCVVO, but have not served in the Armed Forces of the United States in any war or designated active military conflict and/or during peacetime

#### 5. Honorary

Honorary members are any persons under the age of eighteen (18) who have a relative who is a member in good standing of HCVVO. Honorary memberships shall not include voting privileges.

### SECTION II: MEMBERSHIP TYPES

#### 1. Annual/Single Membership

a. A single/annual membership is a membership awarded at an annual cost to be determined by the Board of Directors.

b. To be renewed annually by July 1<sup>st</sup> of each year

#### 2. Lifetime/single membership

a. A single/lifetime membership is a membership awarded at a one-time cost to be determined by the Board of Directors.

### SECTION III: MEMBERSHIP REQUIREMENTS

1. The Board of Directors of this organization shall review all applications for membership and reserves the right to deny any application for membership.



2. It shall be understood that each member agrees to abide by the By-Laws of this organization, upon acceptance of membership. Annual membership fees must be current to within 30 days of the date of renewal to be valid. If the membership is not renewed within the 30-day grace period; then the membership expires and membership rights are terminated. Upon payment of membership fees, the application will be submitted as a "new" membership and will be reinstated with full privileges upon approval.
3. No member shall make any financial obligation or expenditures on behalf of the organization.
4. No member shall conduct themselves in a manner which is considered to be detrimental to the organization.
5. All members WILL be responsible for their guests. This will apply to age 18 and over. The only exceptions to this rule will be reunions and public events.
6. The membership will be responsible for appointing the Scholarship Committee. The committee is to consist of three members in good standing.
7. The membership will be responsible for appointing a financial committee consisting of 2 to 5 members in good standing and qualified to perform the duties of the financial committee.
8. The Board of Directors, by majority vote of a 2/3 quorum present but no less than 7 board members, may terminate the membership of any individual for violation of any of the stated By-Laws of the organization. Any member whose membership is terminated may, in writing or in person, appeal the decision of the Board of Directors within thirty (30) days of receipt of said termination. The appeal shall be considered at the next meeting of the Board of Directors.

#### ARTICLE IV: OFFICERS OF THE ORGANIZATION

##### SECTION I: BOARD OF DIRECTORS

The Board of Directors of the organization shall consist of the following:

All officers must read and sign a copy of the By-Laws.

1. President
2. Vice-President
3. Financial Secretary
4. Recording Secretary
5. Sergeant-At Arms
6. Trustees: five (5) or more, but only as an odd number to ensure board votes remain uneven and only as approved by the existing Board of Directors.
7. Chaplain
8. Veterans Affairs Representative
9. POW/MIA Representative
10. Volunteer Coordinator: The Volunteer Coordinator is responsible for organizing and connecting volunteers with Committee Chairpersons.



All members of the Board of Directors shall have voting privileges; except the President, who shall only vote in the case of a tie. A quorum of the Board shall be defined as 75% of the current board members present with voting privileges. A 2/3 majority vote of the quorum shall be defined as 66% of board members with voting privileges. All decisions of the Board of Directors of the organization in regards to running the daily affairs of the organization shall be considered the final decision on an issue. If a member objects to a decision of the Board, they have the right to ask the Board to reconsider the decision one time only by making a motion for the issue to be discussed at a Board meeting; given the motion is passed by the membership. The Board's decision will be uncontestable and binding after review.

## SECTION II: NEW PRESIDENT/PRIOR PRESIDENT

When a new President is elected, the prior President may assume a position as an advisor of the organization.

## SECTION III: LENGTH OF TERM OF OFFICE

All elected officers shall be elected for a term of two (2) years. The President may serve 2 consecutive 2-year terms in office, and then will not be allowed to accept a nomination for the office of President of HCVVO during nominations for the biennial election immediately following the conclusion of the 2<sup>nd</sup> consecutive 2-year term to which he/she was elected. If an elected officer is found guilty of violating the HCVVO by-laws they shall never be able to hold office again.

## SECTION IV: DUTIES OF THE BOARD OF DIRECTORS

### President

- a. The President shall preside over all meetings of the Board of Directors and the membership.
- b. The President shall preside over the daily functions of the organization in conjunction with the Board of Directors and the membership.
- c. In the event that a quorum of the Board of Directors cannot be obtained in regards to daily functions of the organization, or when events or circumstances beyond the control of the President occur, the President shall have the authority to act on behalf of the organization, except when concerning finances.
- d. The President shall be responsible for appointing Annual Reunion Committee Chairpersons within thirty (30) days of assuming office.
  - a. All committee chairpersons have the authority to delegate responsibilities to committee members and shall perform their duties accordingly.
- e. The Annual Reunion Committees shall consist of the following:
  - I. West Gate
  - II. North Gate
  - III. East Gate
  - IV. Beer Barn
  - V. T-Shirt Barn
  - VI. Wood
  - VII. Food Vendor
  - VIII. Retail Vendor
  - IX. Water Brigade
  - X. Security



- XI. Entertainment/Stage
- XII. Golf Cart Rental (Sandbox Reunion as needed)
- XIII. Garbage Collection
- XIV. Camping
- XV. Fundraising
- XVI. HCVVO Kitchen
- XVII. Communications
- XVIII. Fire Brigade

### **Vice-President**

- a. The Vice-President shall assist the President, and in the absence of or incapacity of the President, shall perform the specified duties of the President.

### **The Financial Secretary**

- a. The Financial Secretary shall be the custodian of all funds of the organization, shall account for all receipts and disbursement of funds, shall maintain a listing of all charge accounts, prepare and keep current those listings including who has authority to make charges on those accounts, shall maintain all financial records and shall prepare all financial reports for the Organization.
- b. The Financial Secretary shall prepare and present a monthly financial report to the membership at the monthly membership meeting.
- c. The Financial Secretary shall call a meeting for a quarterly audit to be conducted by the financial committee. Audit results will be presented at the next general membership meeting.
- d. The financial secretary shall use the financial committee to conduct a bi-annual election audit. The audit is to be completed by November 1<sup>st</sup> of the election year with results presented at the membership meeting in November.

( See Section III: Membership requirements, #7 concerning the Financial Committee)

### **Recording Secretary**

- a. The Recording Secretary shall keep a list of all members of the organization and shall document and/or make available the minutes of the meetings of the Board of Directors and membership. He/she shall also be a member of the By-Laws committee with full voting privileges.

### **Sergeant-At-Arms**

- a. The Sergeant-At-Arms shall assist the president in maintaining order at all meetings and record attendance at all meetings.

### **Trustees**

- a. The Trustees shall assist in running the organization and shall help with the maintenance of and/or upkeep of any property(s) of the organization.



- b. Head trustee shall be responsible for initiating the investigation of any petitions filed in regards to violations of the organization's By-Laws.
- c. At least one Trustee must be present on site during any rental event on the property.
- d. Each and every trustee, whenever possible, will be expected to be on the grounds to perform daily and/or weekly duties.
- e. The newly elected board will elect head trustee with a 2/3 majority vote based on trustees availability

### **Chaplain**

- a. The Chaplain shall provide spiritual guidance for the organization and shall lead the opening prayer at all meetings at which the Chaplain is in attendance.

### **POW/MIA Representative**

- a. The POW/MIA Representative shall represent the organization in all matters pertaining to POW/MIA affairs, shall pursue all information on such issues and shall report such information to the organization.

### **Veterans Affairs Representative**

- a. The Veterans Affairs Representative shall represent the organization in all matters pertaining to Veterans Affairs, shall pursue all information on such issues and shall report information to the organization.

## **SECTION V: ELECTIONS**

1. An election committee shall be formed which shall consist of a Chairperson nominated and approved by the general membership, the Recording Secretary of HCVVO, and at least two members in good standing of the organization nominated and approved by the general membership at the membership meeting in August of the election year.
2. The election committee shall oversee the election, shall review and verify DD214's to accept a nomination for a position on the Board of Directors of the organization, they will conduct a background check on any member running for president, Vice President, Financial Secretary, and all other officer positions holding a HCVVO debit card and be responsible for counting and recording all vote ballots.
  - A. Election committee shall provide each nominee the opportunity to provide written/verbal narrative of qualifications and goals for
  - B. Election committee shall complete a background check on each nominee prior to nominee being placed on ballot.
3. The election committee shall prepare a report documenting the election results and post for the membership. Results of the election are to be filed in permanent records in the office.
4. Election of the officers of the organization shall be held biennially on the first Saturday membership meeting in October.
5. Nomination of officers shall be held twice in September on dates to be determined by the Board of Directors. Once nomination proceedings are opened, the President shall dispense with the transactions of business until nominations are complete. Once the nominations are officially closed, no other nominations shall be allowed. No nominations shall be taken at the biennial election occurring at the first membership meeting in October.



6. To accept a nomination, a person must be present at one of the meetings when nominations are held.
7. A person may be nominated for more than one office, but cannot hold more than one office at any one time. At the final nomination meeting, a person with multiple nominations must accept or decline the nomination for a specific office before the close of nominations for that office.
8. Newly elected officers shall take office effective day of elections

#### SECTION VI: VOTER ELIGIBILITY

The following requirements must be met by each person eligible to vote in any biennial election of officers:

1. The person must be a member and must be eighteen (18) years of age.
2. The person must be a member in good standing with the organization – herein defined as follows:
  - a. If already a member, the member's renewal dues must be paid and approved by the Board of Directors before or at their meeting in the month that the person's membership is to expire.
  - b. If a new member, the member's dues must be paid and approved by the Board of Directors before or at their last meeting in July of the election year. In order to vote, membership must be approved by Board of Directors and membership on or before the August membership meeting during the election year.
  - c. The member has abided by and continues to abide by the By-Laws.

#### SECTION VII: VOTING PROCEDURES

1. For each biennial election, the polls shall open at 9:00 am and shall remain open until 5pm at the first Saturday membership meeting in October.
2. The election committee chairperson shall ensure that the election board receives two copies of a list setting forth the names of the members who are eligible to vote (eligible voter roster), and the voter must provide a copy of his/her current membership card, verifying current dues have been paid.
3. To vote you must show your membership card to be verified by the membership roster.
4. All eligible voters must sign the eligible voter roster in order to receive a ballot.
5. All voting is to be done by secret ballot.
6. A member must be present to vote at the biennial elections. There shall be no proxy or absentee voting.
7. Once the polls are closed, no further voting shall be allowed.
8. In case of a tie, the run-off election shall be held at the next scheduled membership meeting

#### SECTION VIII: FILLING OF OFFICERS VACANCY

1. Any replacement of officers, except president and vice-president, are to be filled by a 2/3 majority vote, or a quorum of the Board of Directors.



2. If a board member/officer is unable to perform their duties temporarily due to illness, surgery, or other disability, then that person shall be granted a temporary leave of absence by the Board of Directors, who shall appoint an individual pro-tem to fulfill the duties of an organization officer, with the exception of the position of President. In the event the President requests and is approved for a leave of absence, the Vice-president shall fulfill the responsibilities of the President until the President can resume those responsibilities.
3. If a board member/officer resigns, quits, or otherwise fails to fulfill their duties as outlined in the By-Laws in any situation other than with assigned leave of absence, then that individual will not be reinstated to said position during the time period in which they were elected to that position and will not be eligible to accept a nomination for any officer's position during the first biennial election following the time period in which they were elected and "resigned/quit."
4. If for any reason the President has to resign or step down, the Vice President will assume the president's position and election committee will be called to hold nominations and a special election to fill the Vice President's position within sixty days. The eligibility requirements will be the same as a regular election.

## SECTION IX: OFFICER ELIGIBILITY

All positions of the Board of Directors, with the exception of the past/prior President, shall be open for nomination.

To seek an office/Board position within HCVVO, the following requirements must be met:

1. If the membership of an individual is revoked, or the individual is placed on probation for a violation of the stated offenses of the organization's By-Laws, if/when the membership is reinstated and/or the suspension is lifted, then said individual may not be appointed to a position on the Board of Officers of the organization for two years up to AND including the next biennial election.
2. The person must be a member, must be at least eighteen (18) years of age and be bondable under HCVVO's insurance policy.
3. The person must be a member in good standing of the organization and must attend at least 50% ( 6 out of 12) of the membership meetings beginning September 1 through August 31 of the year immediately prior to the biennial elections and thereafter to accept nomination for a position on the Board of Directors of the organization.
4. The office of President, Vice-President, and Head Trustee of the organization must be filled by a Veteran with honorable discharge.
5. The Board of Directors shall be made up of 70% veterans. The remaining 30% of the Board of Directors may be filled by associate members in good standing.
6. In the event that a 70% quota of veteran officers of the Board of Directors cannot be achieved by nomination and/or election, then the vacancy(s) will be filled by a 2/3 majority vote of a quorum of the incoming board by appointment on or before December 31<sup>st</sup> of the election year. During the time period in which the board is considering the appointment, the previously elected board member whose position is to be filled will continue to execute the duties of that position until the new appointment is made.
7. If a veteran, a DD-214 form must be submitted to the election committee to meet the requirements of maintaining a 70% quota of veterans on the Board of Directors. If a DD-214 form is not turned in, the person's name cannot be put on the election ballot. Proof of eligibility must be provided to the election committee at least



30 days prior to the membership meeting date scheduled for nomination of members to fill positions on the Board of Directors for the biennial election.

## SECTION X: REMOVAL OF AN OFFICER

1. An officer, including the president, can be removed from an official position with the Board of Directors by a 2/3 majority vote of a quorum of the Board in favor of removal. A quorum of the Board shall be defined as 75% of the current board members present with voting privileges. A 2/3 majority vote of the quorum shall be defined as 66% of board members with voting privileges.
2. If a board member fails to attend three consecutive board or membership meetings without being excused, this will constitute reason for removal.
3. If the membership determines that any elected officer/board member(s) is not fulfilling their fiduciary responsibilities and/or malfeasance. The membership shall appoint a committee of five(5) non-board members in good standing, to investigate said officer/board member(s) with any and all records/documentation open to the committee. The committee will bring the findings to the membership in a regular monthly meeting. At this meeting the membership, by a vote of 75% of members present, shall determine what, if any, disciplinary actions will be taken. Any obstruction or failure to comply with the investigation will result in immediate suspension of any and/or all officer/board member(s) until the investigation is complete and a determination is made.

## ARTICLE V: BUSINESS AFFAIRS AND PROPERTY OF THE ORGANIZATION

The business affairs and property(s) of the organization shall be managed by the Board of Directors of the organization. The decision of the Board of Directors in regards to the business affairs and property of the Organization shall be considered the final say in such matters which need not be presented to the general membership for approval.

- a. Receipts must be presented as documentations of expenditures.
- b. All important (legal and other) documents of the organization shall be stored and/or kept in a secure location. Any member in good standing has the right to view records of the organization with a Board member present in the office on the grounds. No copies or duplicates of the organization's records will be permitted, unless copies are required to conduct the daily affairs of the organization.
- c. Any finances and/or money taken in, in the absence of the Financial Secretary shall be placed in the drop box along with documentation as to the source of money taken in. (e.g. memberships, donations, etc.)
- d. The Financial Secretary and Vice-President shall be responsible for recording and/or deposit of the funds in the drop-box at maximum every three (3) months.
- e. The President can only spend up to \$500.00 quarterly without board approval. Any expenditures exceeding \$500.00, within a quarter, must first be approved by the board.
- f. Membership and camping information/database is not to be used for personal gain by any member (board or membership)

## ARTICLE VI: MEETINGS

### SECTION I: TIMES, DATES AND REQUIREMENTS



1. The board meeting will be held at 11:00a.m. on the first Saturday of each month and the membership meeting will be held at 11:00 a.m. on the second Saturday of each month and/or at such times as deemed necessary by a 2/3 majority vote of a quorum of the Board of Directors.
2. The Board of Directors has the authority to temporarily suspend a membership meeting as deemed necessary for the benefit of members and/or the officers of the organization, provided notice of said temporary suspension is announced at a membership meeting.
3. The Board of Officers has authority to call a board meeting without the consent of the President of HCVVO in the event that the President is being investigated for a violation of the By-Laws as listed under "major offenses." If needed the board members are to contact law enforcement personnel and file a legal complaint against the President. The President must be notified of the results of the meeting in writing to address the specific and purported violation(s) of the By-Laws.

## SECTION II: CONDUCT AND ENFORCEMENT OF THE BY-LAWS OF HCVVO AT MEMBERSHIP MEETINGS

1. A person who is not a member may be asked to leave the meetings at any time.
2. A non-member with questions or comments may be given five (5) minutes for questions or comments.
3. The President or Presiding Officer can call the meeting out of control and adjourned if the rules are not abided by.
4. The order of Business for all membership meetings shall follow parliamentary authority.
  - a. Call to Order
  - b. Pledge of Allegiance to the Flag
  - c. Moment of Silence and/or prayer
  - d. Roll Call of Officers
  - e. Introduction of guests and new members
  - f. New or Renewal of Memberships
  - g. Reading of minutes from the previous meeting
  - h. Report of the Financial Secretary
  - i. Reading of Bills and other Communications
  - j. Committee Reports
  - k. Property(s) Reports
  - l. Reunion Business
  - m. Old Business
  - n. New Business
  - o. Adjournment

## SECTION III: VIOLATIONS OF THE BY-LAWS OF HCVVO AND OUTLINE OF ACTIONS TO BE TAKEN

1. Violations shall consist of, but are not restricted to the following:
  - a. Minor offenses and Major offenses.



b. Minor offenses will consist of the following:

- i. Disrespect to any member/veteran and/or their spouse and children
- ii. Irrational behavior; including discriminatory language and/or behavior related to sexual preference, religious preference, personal lifestyle choice and/or "race."
- iii. Violation of any Camping Rules, refer to attachment on the last page of the By-Laws.

c. Major offenses shall consist of, but are not restricted to the following

- i. Theft of HCVVO property.
- ii. Physical contact with intent to harm, battery, sexual assault and/or domestic violence
- iii. Lewd behavior; including indecent exposure, nudity, and improper sexual advances.
- iv. Unauthorized use of HCVVO and/or others' property.
- v. Destruction of HCVVO and/or others' property.
- vi. Endangering others including their spouse and/or children.
- vii. Use of Firearms.
- viii. Sale and/or manufacture of a controlled substance on the grounds of HCVVO.
- ix. Threats to members and/or their spouses and children.
- x. Falsification of DD214 and/or other imperative documents related to membership (this will result in immediate termination of membership).

1. Any Board member who is accused/implicated in a violation of the organization's By-Laws or of the offenses listed in Section III *Violations of the By-Laws of HCVVO (refer to Section X, Number 3)*

2. The Board of Directors request that allegation(s) are to be submitted within 30 days of incident. Any allegations submitted after 30 days of the incident will be reviewed at the discretion of the Board.

3. Outline of actions to be taken and the procedures to be followed in the event of an offense will consist the following:

- a. Any alleged incidents in regards to conduct and enforcement of the By-Law(s) which involve possible offenses must be brought to the attention of HCVVO's trustees.
- b. The trustee and/or trustees will document and investigate the alleged incident and if necessary, consult with those parties involved. The trustee and/or trustees shall have the authority to attempt to arbitrate a settlement.
- c. The trustees shall address the alleged incident and decide by majority vote what charges, if any, should be filed, and the proposed appropriate disciplinary action to be taken; except for when trustees are accused/implicated in a violation of the By-Laws. The accused will then be exempted from participation in any and all actions related to the investigation, hearing of charges, proposal of disciplinary action(s), and decision as to guilt or innocence. If a quorum of trustees is not then possible, the Board of Officers shall



hear the charges, address the alleged incident and propose any disciplinary actions. The results of the investigation will then be presented to the board for final decision.

- d. The Board of Directors shall give an advance notice of (2) weeks to those parties involved in the alleged incident that a meeting will be held to hear the charges and proposed disciplinary actions. The parties involved will then have a chance to arbitrate the decision reached in regards to said incident.
  - e. Notification of the decision of the Board of Directors shall be made to the offender within thirty (30) days of the final decision.
  - f. The offender shall have no less than fourteen (14) days and no more than thirty (30) days to appeal the final decision.
4. Disciplinary actions may consist of, but are not restricted to the following.
- a. Verbal warning issued by a minimum of three (3) trustees in the presence of the offender.
  - b. Warning letter from the Board of Directors issued by certified mail with return receipt requested and including that any continuation of offense(s) could result in suspension from the grounds and activities of HCVVO (whether public or private) for a period of 1 to 6 months
  - c. Suspension from 1 to 6 months; depending upon the severity of the offense.
  - d. Termination of membership and privileges of the offender shall be indefinite and/or until the offender or the organization wishes to reconsider his/her membership for reinstatement. The petitioner may then bring an appeal to the Board for reinstatement in person at a scheduled monthly board meeting.
  - e. When a vote is taken by the Board in regards to a decision of disciplinary action, the vote is to be 2/3 majority and shall be taken by ballot and NOT by a show of hands.

#### ARTICLE VII: COMPUTERS OWNED BY HCVVO

1. Any computers purchased and/or owned by HCVVO shall be maintained and operated only by officers of the organization designated with authority to maintain and/or operate said computers. All HCVVO computers are to remain on the property at all times
2. If the computers are sold and/or otherwise disposed of, the hard drive shall be removed and retained by HCVVO.

#### ARTICLE VIII: By-laws

1. The By-laws committee shall be elected by the membership during the November meeting (of the election year).
  - a. The By-Laws Committee shall consist of the Chaplain, 1 additional Board member, 2 non-officers who are members in good standing of the organization, and the Recording Secretary. The by-laws committee will meet the first quarter of each year (Jan.-Mar) to consider amendment proposals; unless otherwise authorized by the Board to meet beyond scheduled times.
2. Proposed By-Laws amendments shall first be presented to the Board of Directors for approval prior to being presented to the general membership. Proposed amendments presented to the board must be approved by a 2/3 majority vote of a quorum of board members. Proposed by-laws changes will be read at three consecutive membership meetings (Apr.-Jun.). Proposed by-law amendments will be posted on the HCVVO website. A member must be present to vote. There shall be no absentee or proxy voting for by-law amendments. The vote for by-law amendments will occur during the June membership meeting and take effect immediately.



3. Each proposed By-laws change will be voted on individually, rather than as a whole, by the board and the membership.
4. Any topic/issue not covered by the organization's By-Laws regarding parliamentary procedure shall be referred to ROBERTS RULES OF ORDER for resolution, until such time as the By-Laws can be amended.