



March 16, 2020

Joseph Kent, Commander
Big River Post No. 5331, VFW
PO Box 184
Cedar Hill, MO 63016

Re: Proposed Amended Bylaws

Dear Comrade Kent:

Receipt is acknowledged of the proposed revised Bylaws for Post No. 5331, VFW, submitted through channels for the review of the Commander-in-Chief in accordance with Section 202 of the Manual of Procedure.

These documents have been designated amended Bylaws to reflect their replacement of previously reviewed Bylaws.

A review of the proposed amended Bylaws discloses that they were in substantial compliance with the Congressional Charter, Bylaws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States; however have been modified for compliance. To preclude any misunderstanding of the additions and/or deletions, an informal document has been attached.

A copy of the reviewed amended Bylaws, with the corrections noted thereon, has been retained for our files, another forwarded to your Department Headquarters, and two sets herewith returned.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan R. Duncan", is written over a circular stamp or seal.

Jonathan R. Duncan, Director
Administrative Operations

JRD: cl
Enc: Revised Bylaws (2)
cc: Department Adjutant (1)

NATIONAL HEADQUARTERS

WASHINGTON OFFICE



**Department of Missouri
Veterans of Foreign Wars**

P.O. Box 26
Jefferson City, MO 65102
Phone: 573-636-8761
Fax: 573-636-2664

February 25, 2020

Johnathan Duncan, Director
Administrative Operation
VFW National Headquarters
406 W. 34th Street
Kansas City, MO 64111

Dear Johnathan:

Enclosed please find Proposed By-Laws for Big River VFW Post 5331 located in Cedar Hill, Missouri.

It is the recommendation of the Department Commander that they be approved.

With Best Regards

Donald L. Hentges, Adjutant
Department of Missouri
Veterans of Foreign Wars

Enclosure

Cc: Post No. 5331

Veterans of Foreign Wars

FEB 25 2020

Administrative Operation

NATIONAL BYLAWS/MANUAL OF PROCEDURE CONFLICT

POST 5331 MISSOURI

Article III Section 3

Add "and voting"

Reason: To conform to Section 205 of the Manual of Procedure. A member may abstain their vote and decline to vote either for or against a motion or proposal

Article IV Section 2

Replace "admission fee" with "annual dues"

Reason: To provide for the Post annual dues amount and preclude any misunderstanding.

Article VI Section 3 (a)

Remove "and one to be elected by the Auxiliary"

Reason: To conform to Section 215 of the National Bylaws. Only VFW members of a Post may serve on a VFW Post committee.

Article VI Section 3 (h)

Add "and voting"

Reason. A member may abstain their vote and decline to vote either for or against a motion or proposal.

Article VII Section 4

Replace "Auxiliary to the Veterans of Foreign Wars" with "Veterans of Foreign Wars Auxiliary"

Reason: To conform to the appropriate name of the Veterans of Foreign Wars Auxiliary in accordance with Article XI of the National Bylaws.

Article XIII Section 2

Add "and voting"

Reason: To conform to Section 202 of the National Bylaws. A member may abstain their vote and decline to vote either for or against a motion or proposal.

BYLAWS

BIG RIVER POST NO. 5331

VETERANS OF FOREIGN WARS OF THE UNITED STATES

ARTICLE I NAME AND LOCATION

- Sec. 1. By virtue of charter granted, this Post shall be known as Big River Post No. 5331 Veterans of Foreign Wars of the United States.
- Sec. 2. The location of this Post shall be in the City of Cedar Hill, County of Jefferson, State of Missouri.

ARTICLE II SUBORDINATION

- Sec. 1. The supreme power of this association is vested in the National Convention and this Post shall be at all times governed by the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States, the Bylaws of the Department of Missouri, orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration and the Commander of the Department of Missouri. Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE III MEETINGS

- Sec. 1. Place: The regular meeting place of this Post shall be at Big River Post No. 5331, 1 Lynn Lane, Cedar Hill MO 63016.
- Sec. 2. Time: The regular meetings of the Post shall be held on the 2nd Monday of each month, to be called to order at 7:00 p.m.
- Sec. 3. The Post may, after at least fourteen (14) days written notice to the Department Commander and the members of the Post, change its meeting place, appointed day or time upon a majority vote of the members present *and voting* at a regular or special meeting called for such purpose.
- Sec. 4. Special meetings may be called in accordance with the provisions of the National Bylaws.
- Sec. 5. Quorum: 10 members in good standing shall constitute a quorum for the transaction of business.

ARTICLE IV MEMBERSHIP

- Sec. 1. Membership in this Post, eligibility to, application for, acquiring and maintenance of, loss of and discipline shall be in accordance with the provisions of the National Bylaws.
- Sec. 2. The *annual dues* of this Post shall be \$45.00, payable in accordance with the National Bylaws.

Sec. 3. The due of this Post shall never be less than the amount required to cover Department and National due.

ARTICLE V OFFICERS

Sec. 1. Eligibility to, nomination, election or appointment, installation and term of office shall be in accordance with the provisions of the National Bylaws.

Sec. 2. The duties of all officers shall be those prescribed by National and Department Bylaws, lawful orders as the Post may direct and as these Bylaws may provide.

ARTICLE VI COMMITTEES AND DUTIES

Sec. 1. All Committees and their chairmen, unless otherwise provided shall be appointed by the Commander as promptly as possible after election to office, and as such shall serve at his/her will and pleasure. The Post Quartermaster, by virtue of office shall be treasurer of all committees handling funds

Sec. 2. The Standing Committees of the Post shall be as follows.

- | | | |
|----------------|----------------------|--------------------------|
| (a) Membership | (e) Youth Activities | (i) Community Activities |
| (b) Relief | (f) House | (j) Safety |
| (c) Poppy | (g) Americanism | |
| (d) Publicity | (h) Ways and Means | |

Sec. 3. House Committee:

- (a) The House Committee shall be elected to manage certain matters related to the Post property including the operation of Post Club Rooms and/or Canteen. It shall consist of not less than four members which will be elected by the Post membership, one each of whom shall be elected annually for a three-year term. Trustees and payroll bartenders shall not serve on the House Committee. In addition, the Post Commander, Sr. Vice Commander and Post Quartermaster by virtue of their offices shall be members of the House Committee.
- (b) The Committee shall be responsible for the cleanliness and upkeep of the quarters and the equipment therein.
- (c) The Committee shall be in charge of the sub-rental of the Post's quarters and shall exercise such supervision over sub-renters as will ensure the protection of the Post's name and property.
- (d) The Committee may authorize such expenditures for minor emergency repairs and janitor supplies as may be necessary for the preservation and protection of the Post's quarters and its equipment, provided that the total amount so expended between any two regular meetings shall not exceed \$1,000.00.
- (e) All monies received by the Committee through the sub-rental of the Post's quarters or other sources shall be deposited with the Post Quartermaster.
- (f) All expenditures of the Committee shall be made only by regular voucher and drawn by the Quartermaster in accordance to these Bylaws.
- (g) The House Committee shall keep a record of all its receipts and expenditures and shall, at every meeting of the Post, report all monies received and all expenditures made since the last meeting.

- (h) The Post may adopt such further rules and regulations governing the conduct of club or canteen as do not conflict with the provisions of this Article. Such rules and regulations shall only become effective upon their approval by a majority vote of members present and voting at a regular or special meeting called for that purpose; at least thirty (30) days' notice in writing having first been given to all members
- (i) The Post Quartermaster, by virtue of office shall be treasurer of the House Committee.

ARTICLE VII CONTROL OF SUBSIDIARY UNITS

- Sec. 1. Any activity, unit or clubrooms sponsored, conducted or operated by the Post, incorporated separately from the Post or unincorporated, shall be at all times under the direct control of the Post.
- Sec. 2. All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- Sec. 3. All money, property and assets of every kind as well as all records in connection therewith used held and owned by any of the above activities is the property of the Post and must be placed in the care and custody of the Post Quartermaster.
- Sec. 4. The *Veterans of Foreign Wars Auxiliary*, Military Order of the Cootie and its Auxiliary are governed by Articles XI and XII respectively of the National Bylaws and Manual of Procedure of the Veterans of Foreign Wars and their respective Bylaws, rules and regulations.

ARTICLE VIII EXPENDITURE OF FUNDS

- Sec. 1. Expenditure of funds shall be made only after prior authorization by the Post and on proper voucher drawn by the Adjutant and approved by the Commander. All checks for the expenditure of Post funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing the same. Other expenditures may be made using acceptable banking practices. All disbursements of Post funds shall bear the signature of the Quartermaster or other person(s) authorized by the Quartermaster. Such other authorized person(s) shall be bonded in accordance with Section 703 of the National Bylaws.
- Sec. 2. The adoption of this Article shall constitute authorization by the Post for the payment of bills, when and as due, for monthly rental, public utility service, postage, janitor service and for janitor's supplies and minor emergency repairs authorized by the House Committee, provided that the amounts to be paid for monthly rental and for janitor service shall have been previously established by the Post.
- Sec. 3. No other payment or expenditure shall be made except on the specific authorization of the Post in each and every case.

ARTICLE IX COMPENSATION

- Sec. 1. No compensation shall be paid to any officer of this Post for services as such officer, except as hereafter may be provided.
- Sec. 2. For services rendered, the Post may, by majority vote, pay the annual dues of the Adjutant and Quartermaster for the periods or parts of periods they serve as such, and such other compensation commensurate with their duties as may be determined and specified by vote of the Post.

**ARTICLE X
FUNDRAISING PROMOTIONS/SOLICITATIONS**

- Sec. 1. This Post shall solicit funds or donations only by prior vote of the members agreeing to the proposition. It shall not solicit funds or donations or otherwise engage in fundraising activities or projects outside the immediate geographical area or community of the Post.
- Sec. 2. This Post shall not enter into any agreement with a promoter for the purpose of raising funds unless the said promoter shall have first furnished a good and sufficient surety bond in a principal sum sufficient to give the Post ample protection in the particular circumstances. The said bond shall be subject to the approval of the Post Advocate, bear the endorsement of the Post Commander and be kept in the possession of the Post Quartermaster. The bond will be conditioned on the payment to the Post Quartermaster of all monies due the Post as a result of the solicitation within thirty (30) days of the close of the campaign. If the promoter has made satisfactory settlement within the thirty day period, then surety will be determined to be discharged, otherwise the bond will remain in full force and effect.
- Sec. 3. If the bond cannot be furnished, then all collections shall be made by the members of the Post sponsoring the campaign or entertainment and said funds shall be paid to a bonded officer of the Post who shall hold the funds in their custody pending proper pro rata distribution.
- Sec. 4. Fundraising organizations or individuals conducting solicitations, activities or projects for a profit shall not be engaged or used by the Post for such purpose unless such engagement is made by written agreement between the Post and the organization or individuals providing those services. The form of any such written agreement must be submitted to the Department Commander for review at least thirty (30) days prior to any Post entering into any such agreement.
- Sec. 5. Unless previously authorized by a majority vote of the Post, no solicitations or ticket sales shall be permitted in the Post quarters or at social or meetings unless such solicitations or ticket sales shall have been approved by the Post.
- Sec. 6. The Ways and Means Committee shall confine any such approved solicitations or ticket sales to stated meetings and socials of the Post in or around the Post quarters.

**ARTICLE XI
MISCELLANEOUS**

- Sec. 1. Every member of this Post shall keep the Post Adjutant and Quartermaster advised of their current address by promptly reporting any change of same.
- Sec. 2. One copy of these Bylaws shall be issued to each elected and appointed officer of this Post and these Bylaws shall be published on the Post website to ensure they are available to all members.
- Sec. 3. In all Post procedures not provided for by the Congressional Charter and Bylaws or these Bylaws, Robert's Rules of Order shall be the authority, and it shall be the duty of the Judge Advocate, in an advisory way, when called upon to do so by the Post Commander to advise the Post Commander on the proper rule or rules.

**ARTICLE XII
SPEECHES**

- Sec. 1. No member will be permitted to speak on any one subject (Pro or Con) more than twice; and the first time no longer than five (5) minutes, and the second time no longer than three (3) minutes, with the exception of a committee report and recommendations and visiting guests who have a message to impart.

**ARTICLE XIII
AMENDMENTS**


- Sec. 1. These Bylaws shall become effective after adoption by this Post and after review by the Commander of the Department and Commander-in-Chief of the Veterans of Foreign Wars of the United States.
- Sec. 2. These Bylaws may be amended by the Post by a two-thirds vote of the members present and voting at a stated meeting provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.
- Sec. 3. Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future Department or National Bylaws, the latter shall prevail and be binding upon this Post as though written here in.

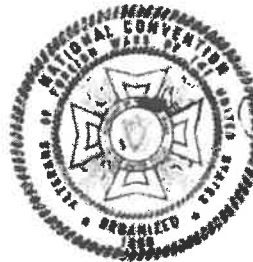
These Bylaws were adopted, subject to the review of the Commander-in-Chief and the Commander of the Department of Missouri, Veterans of Foreign Wars of the United States on this 10th day of February, 2020, at a regular meeting of this Post in the City of Cedar Hill and County of Jefferson, State of Missouri.


Big River Post No. 5331
Veterans of Foreign Wars of the United States

By 
Commander

OFFICIAL:

By 
Adjutant



REVIEWED MAR 16 2020
FOR THE COMMANDER-IN-CHIEF

KIM A. DE SHANO
ASSISTANT ADJUTANT GENERAL
BY JOHNATHAN R. DUNCAN, DIRECTOR
ADMINISTRATIVE OPERATIONS