

BY-LAWS OF CHARLES COWDEN POST NO. 184

DEPARTMENT OF MINNESOTA

ARTICLE I - NAME

Section 1.

The post existing under these By-Laws is to be known as Charles Cowden Post No. 184, The American Legion, Department of Minnesota.

Section 2.

The objects of this post are as set forth in the Constitution.

ARTICLE II – MANAGEMENT

Section 1.

The government and management of the post is entrusted to an Executive Committee of eight members, to be known as the "Executive Committee."

Section 2.

The Executive Committee shall consist of three members in addition to the officers of the post. One member of the Executive Committee along with the other officers of the post shall be elected annually at the regular meeting in May and take office at the meeting following that of the election. Unopposed candidates for a post may be elected via voice vote. Elections of opposed Officers and Executive Committee persons shall be elected by ballot and the candidate receiving the majority vote shall be elected to the respective office for which he/she is a candidate. When more than two members are nominated for an office and a majority vote for a candidate is not received on the first ballot, a second ballot shall be taken with the two candidates receiving the two highest votes from the first ballot being the only candidates on the second ballot. If the second ballot results in a majority vote for a candidate, he/she shall be elected to the respective office for which he/she was a candidate. In the event of a tie with two candidates the currently sitting Post Commander, or individual currently fulfilling that position, will select the winner.

ARTICLE III - POST EXECUTIVE COMMITTEE

Section 1.

The Post Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within 10 days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the Commander at least every month and as often as said Commander may deem necessary. Five members of the committee shall constitute a quorum thereof.

Section 2.

Staffing and Finance. The Post Executive Committee shall hire such employees as may be necessary; shall authorize and approve all expenditures under \$1,000.00, over this amount shall be approved by the members at the next regular meeting. In the case of emergency bar or kitchen equipment failure, the Bar Committee (or Post Executive Committee in the absence of a BAR committee) may authorize and approve expenditures under \$4,000.00.

Account Management. There must be two active authorized signatures on all checks written from Post Checking accounts. The accounts belonging to the Legion are, but not limited to: Post General Account, Gambling Account, Raise the Bar Account, Bar Account, Kitchen Account, and or any other account open(ed) by Post Legion Membership.

Only active authorized Organization Legion Members can sign checks from the Post's General accounts and Gambling account.

The handling of the Post Gambling bank accounts is determined by State Statute and the State Gambling Control Board.

The Bar and/or Kitchen Manager, along with an authorized active Post member will sign all checks from the Bar/Kitchen account. The membership, with recommendation from the specific committee will determine those who are to be authorized on any of these bank accounts. If there is not an authorized Manager at a minimum, checks must be signed by an active Post 184 Legion Family member (Legion, Auxiliary, Sons of the Legion).

Authorized are those approved by the members and on the signature card at the bank authorizing access to the accounts specified.

Bonding. The Executive Committee shall require adequate bonds from all persons having the custody of post funds in the form of cash or checks; shall hear reports of Post Committee Chairpersons; and generally, shall have charge of and be responsible for the management of post affairs.

Bar Committee.

- (1) The Bar Committee Chairman shall assist the Bar Manager, when necessary, in any or all operational problems concerning the bar. They shall submit any operational and function problems of the bar to the Executive Committee for the final decisions. They shall recommend to the Executive Committee the hiring of the Bar Manager and his/her rate of pay. They will establish a contract for full time or job description for part time to be signed by the Bar Manager and the Executive Committee annually. All decisions of the Bar Committee will be passed on a two-thirds vote of the Bar Committee. The Bar Manager will take a quarterly inventory of saleable bar stocks and shall provide the membership with a monthly profit and loss bar report.
- (2) In the absence of a Bar Committee, the Executive Committee will fulfill the duties of the Bar Committee as per Article VI – Appointments Section 1.

ARTICLE IV - DUTIES OF OFFICERS

Section 1.

Duties of Post Commander. It shall be the duty of the Post Commander to preside at all meetings of the post and have general supervision over the business and affairs of the post, and such officer shall be the Chief Executive Officer of the post. He/she shall approve all orders directing the disbursement of funds and shall make an annual report covering the post for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. He/she shall perform such other duties as directed by the post.

Section 2.

Duties of First Vice Commander. The First Vice Commander shall be Membership Director and shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander.

Section 3.

Duties of Second Vice Commander. He/she shall assume and discharge the duties of the office of Commander in the absence or disability of, or when called upon by the Post Commander. This being only in the absence or disability of the First Vice Commander. He/she shall be in charge of post activities and entertainment for post functions, such as Christmas, Halloween, Veterans Day, and the annual picnic.

Section 4.

Duties of Post Adjutant. The Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the department and national organizations may require, render reports of membership annually or when called upon at a meeting, and at the direction of the Commander manage all correspondence of the post.

Section 5.

Duties of the Finance Officer. The Finance Officer of the post shall have charge of all finances and see that they are safely deposited in some local banks and shall report once a month to the Executive Committee the condition of the finances of the post, with such recommendations as he/she may deem expedient or necessary for raising funds with which to carry on the activities of the post. He/she shall sign all checks disbursing the monies of the Post with the Post Commander as a co-signer. He/she shall furnish surety bonds in such sum as shall be fixed by the Post Executive Committee for persons having custody of post funds.

Section 6.

Duties of the Historian. The post Historian shall be charged with the individual records and incidents of the post and post members and shall perform such other duties as may properly pertain to the office as may be determined by the Post Executive Committee.

Section 7.

Duties of the Post Service Officer. The post Service Officer shall assist the County Service Officer when necessary. He/She shall assist comrades and their families in receiving their claims provided by our government and perform such other duties as may properly pertain to the office as may be determined by the Post Executive Committee.

Section 8.

Duties of the Post Chaplain. The Post Chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine but non-sectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the national or department headquarters from time to time.

Section 9.

Duties of Sergeant-At-Arms. The Sergeant-At-Arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him/her by the post or the Post Executive Committee.

ARTICLE V - DELEGATES

Section 1.

Delegates and alternates to any convention shall be elected by the post at a regular meeting of the post to be held at least twenty days prior to the date of such convention.

ARTICLE VI - APPOINTMENTS

Section 1.

The Post Commander, immediately upon taking office or with least delay, shall appoint the following committees:

Building and Properties, Entertainment, Publicity and Public Relations, Membership, and other such committees as he/she may deem necessary to insure post functions. Such committees shall consist of such members, and the chairperson thereof, as shall be designated by the Post Commander. In the absence of an appointed committee the

Executive Committee will be responsible for the duties of that committee, and/or the delegation of those duties, and on-going oversight thereof.

Section 2.

Building and Properties Committee. The Post Building and Properties Committee shall be responsible for obtaining facts, estimated costs, and plans for all new post buildings, renovations of old post buildings, and maintenance of post properties. They shall obtain the facts and monetary estimates of all sales or purchases of real estate properties. These statistics are to be presented to and approved or disapproved by the membership at a regular post meeting.

Section 3.

Entertainment Committee. The Entertainment Committee shall have charge of all matters pertaining to the promotion of club advantages and arrangements for social activities under the direction of the Second Vice Commander.

Section 4.

Membership Committee. The Membership Committee shall have charge of all matters pertaining to the membership of the post, including the procuring of new members, reinstatement, and eligibility of members under direction of First Vice Commander.

ARTICLE VII - RESOLUTIONS

Section 1.

All resolutions of state or national scope presented to this post by a member or reported to this post by a committee shall merely embody the opinion of this post on the subject and copy of same shall be forwarded to the department headquarters for its approval before any publicity is given or action other than mere passage by the post is taken.

ARTICLE VIII - MEETINGS

Section 1.

The regular meetings of the post shall be held at the post home on the second Monday of each month at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by the officers of the post.

Section 2.

The Post Commander or a majority of the Executive Committee shall have power to call a special meeting of the post at any time providing that written notice shall be given to all members at least four days in advance of the date when such meeting is to be held, notifying said members the purpose of said special meeting.

Section 3.

Upon the written request of 5% of the membership, the committee shall call a special meeting of the post providing that written notice shall be given to all members at least four days in advance of the date when such meeting is to be held, notifying said members the purpose of said special meeting.

ARTICLE IX - NOTICES

Section 1.

Every member shall furnish the post Adjutant with his or her address for mailing purposes.

Section 2.

The Post Adjutant shall cause notice of the annual election to be given at least two weeks prior thereto.

ARTICLE X - RULES OF ORDER

Section 1.

All proceedings of this post shall be conducted under and pursuant to Roberts' Rules of Order revised, except as herein otherwise provided.

ARTICLE XI - LIMITATIONS OF LIABILITIES

Section 1.

This post shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other post, subdivision, group of persons, members of the The American Legion, or other individuals, corporations, or organizations.

ARTICLE XII - AMENDMENTS

Section 1.

To amend these by-Laws the following steps must be followed:

1. The proposed amendment must be submitted in writing and read at the most recent preceding regular meeting
2. At least four days in advance of the regular meeting where the vote is scheduled, a written notice clearly stating that at the next regular meeting a proposal to amend the By-Laws is to be voted upon
3. Providing provisions 1 and 2 have been met, these By-Laws may be amended by a two-thirds vote of the members of said post attending the specified regular meeting.

Brian Stephans
Commander
Charles Cowden Post 184
Pine Island, Minnesota

Signed -- 11 November 2021

Accepted: _____

Pine Island, Minnesota