

AMERICAN LEGION

LIMESTONE

POST 979 BY-LAWS

Respectfully submitted for Adoption by the BY-LAW Committee

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CHAPTER 1

Section 1:

The Post Existing under these By-Laws is to be known as Limestone Post Number 979,
The American Legion, Department of Illinois.

Section 2:

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

CHAPTER 2

BY-LAWS

SECTION 1. PASSING, ALTERING, AMENDING, OR REPEALING

The passing, altering, amending or repealing of by-laws may be accomplished by presenting the changes to the Board of Directors, at any of the meetings of the Board of Directors, for the presentation to the membership of the Post at a regular scheduled meeting.

- A. When making or amending a by-law, a member must present the proposal to the Executive Board for discussion to be presented at the next Post meeting for review.
- B. When by-laws are passed, altered, amended, repealed or adopted by the members of the Post at any meetings of such members, the same shall be accomplished by a two-thirds vote of all members present.
- C. When by-laws are to be passed, altered, amended, repealed or adopted by the members of the Post at any meeting of such members, notification of such meeting to be held shall be written or printed, delivered either personally or by the U.S. Mail, not less than five (5) days nor more than forty (40) days prior to such meeting, and shall be sent to every member of the Post in good standing at his address as it appears on the rolls at the time of giving or mailing such notice.

CHAPTER 3

THE EXECUTIVE BOARD

SECTION 1. COMPOSITION OF THE BOARD

The Executive Board shall constitute the Board of Directors and shall consist of the Post Commander, the Senior Vice Commander, Raffle Chairman, the Post Adjutant, the Finance Officer, the Post Judge Advocate, the Post Service Officer, Post Chaplain, Post Sergeant at Arms, the two (2) one (1) year Trustees, and the immediate Past Commander.

SECTION 2. MEETINGS

The Board shall meet regularly the first Monday of each month and shall meet specially upon call of the Post Commander at such time or times, as specified in the call. Members of the American Legion Post 979 may present grievances to the Executive Board at their regularly scheduled meetings upon notice being given in writing to any member of the Executive Board at least 48 hours prior to the commencement of the Executive Board meeting.

SECTION 3. NOTICE OF MEETING

The Adjutant, when directed by the Post Commander, shall notify the members of the Executive Board by U.S. Mail, phone, or in person in advance of any special meeting called by the Post Commander. Such notice shall be addressed to each member of the Board as the name appears on the rolls of the Post. No notice of regular meetings need be given.

SECTION 4. POWERS AND DUTIES OF THE EXECUTIVE BOARD

The Executive Board shall have all powers and duties granted and imposed upon similar Boards of Directors by the laws of the State of Illinois and such other powers and duties as are contained in these by-laws, provided that such powers and duties are not inconsistent with the laws of the State of Illinois.

SECTIONS 5. QUORUM

Six (6) of the Twelve (12) Executive Board members must be present to constitute a quorum. An Executive Board member who simultaneously holds two positions on the Board shall be counted as one member for purposes of determining whether a quorum is present. If a Board Member misses two (2) consecutive meeting unexcused, the Post Commander shall appoint a member in good standing to serve the balance of the term.

SECTION 6. VOTING

Voting at any Executive Board meeting shall be orally by "YES" or "NO" vote, with one vote for each member present upon each proposition submitted. Propositions for vote shall be by motion and duly seconded. A member who simultaneously holds two positions on the Executive Board is entitled to one vote on each proposition before the Board.

A proposition shall be deemed carried when a majority of members present vote "YES" thereon. A refusal to vote by a member present, upon any proposition submitted, shall be treated as though such member was not present and his action in that respect recorded in the minutes of the meeting.

SECTION 7. SELECTION OF THE EXECUTIVE BOARD

The Board shall be elected as hereinafter provided for the selection of Officers at any such election of Officers of the Post. Two (2) members shall be elected as Trustees from the membership at large to serve on the Executive Board.

TRUSTEES:

- A. Each Trustee will be elected for a one (1) year term.
- B. One Trustee to work with the Building Manager
- C. One Trustee will work with the Raffle Chairman in charge of Raffle and help with reports and raffles.
- D. All Trustees will serve as auditors on the Finance Committee.

SECTIONS 8. SPENDING POWER

The Executive Board shall have the power to spend a maximum of \$5,000 on a project or cause, as they deem necessary, without approval at a regular meeting of members of the Post.

In case of emergency the commander has the power to spend up to \$5,000 to get the needed repair done.

Any occurrence that impacts to daily operation of the Post shall be considered an Emergency that shall be taken care of.

CHAPTER 4

THE OFFICERS

SECTION 1. TITLES

The Officers of the Post shall consist of the Post Commander, Senior Vice Commander, Raffle Chairman, Post Adjutant, Post Finance Officer, Post Chaplain, Post Service Officer, Post Judge Advocate, Post Sergeant of Arms, and immediate past Post Commander, Raffle Trustee and Building Manager Trustee.

SECTION 2. NOMINATION FOR OFFICERS

Nominations for all elective officers shall be held on the second Tuesday of April of each year, and nominations may also be made from the floor on the second Tuesday of May. The second Tuesday of May is designated as election night.

SECTION 3. SELECTION OF OFFICER/TERM OF OFFICE

The Post Commander, Senior Vice Commander, Raffle Chairman, Finance Officer, Chaplain, Service Officer, Sergeant at Arms and Post Adjutant shall serve a term of one year. The Post Commander shall appoint the Post Judge Advocate to serve a term of one year. If nobody runs for the office of Post Adjutant, then the Post Commander shall appoint a member in good standing to serve as Post Adjutant. If any officer fails to complete his or her term of office, the Post Commander shall appoint a member in good standing to serve the balance of the term.

Raffle Chairman will have responsibilities of the weekly Post Raffle and all accounts and reports which are subject to audit, by the Finance Committee.

Historian will be the keeper of history of the Post, this position will be appointed by the Post Commander.

SECTION 4. NOTICE OF ELECTION

Notice of every meeting at which an election of Officers is to be held shall be written or printed, delivered either personally or by the U.S. Mail not less than five (5) nor more than forty (40) days prior to such meeting, and shall be sent to every member of the Post in good standing at his address as it appears on the rolls at the time of giving or mailing such notice. The monthly newsletter shall be sufficient to satisfy the requirement of written notice of any upcoming election of Officers.

CHAPTER 5

STEERING COMMITTEE

SECTION 1. COMPOSITION OF THE STEERING COMMITTEE

The Steering Committee shall consist of five (5) members elected at large from the membership of the Post at any such election of Officers of the Post. Each such member shall serve a term of five (5) years, with one being elected each year. The member serving in his or her fifth year shall serve as Chairman of the Steering Committee.

SECTION 2. PURPOSE OF STEERING COMMITTEE

The purpose of the Steering Committee is to set long range goals and objectives for the Post and to submit proposals to the Executive Board for further consideration and action.

THE STEERING COMMITTEE IS A LONG-RANGE PLANNING GROUP. THEY ARE ALSO A COMMITTEE THAT WORKS ON ANY PROJECTS WITHIN THE POST THAT REQUIRE REPAIR OR UPGRADE OF EXISTING FIXTURES. THIS INCLUDES ALL OF THE BUILDINGS AND GROUNDS. ANY PROJECT THAT NEEDS A CRAFTSMAN BROUGHT IN TO REPAIR OR BUILD IS THE RESPONSIBILITY OF THE STEERING COMMITTEE. THE COMMITTEE SHOULD DEVISE A PLAN, GET BIDS, AND BRING PROPOSALS TO THE EXECUTIVE BOARD. THE COMMITTEE SHOULD PRESENT BIDS TO THE COMMANDER FOR OPENING, CONSIDERATION, AND APPROVAL BY THE EXECUTIVE BOARD. UPON APPROVAL BY THE EXECUTIVE BOARD, THE PROPOSAL SHOULD BE PRESENTED TO MEMBERSHIP, IF IT CONTEMPLATES THE EXPENDITURE OF MORE THAN THREE THOUSAND DOLLARS. IF APPROVAL IS GRANTED BY THE MEMBERSHIP, THE CHAIRPERSON OF THE STEERING COMMITTEE IS RESPONSIBLE FOR SUCCESSFUL COMPLETION OF THE PROJECT.

CHAPTER 6

THE MEMBERS

SECTION 1. ELIGIBILITY FOR MEMBERSHIP

Eligibility for membership in the American Legion Limestone Post No. 979 shall be the same as set forth in the by-laws of the American Legion, Department of Illinois.

SECTION 2. DISCIPLINE

Discipline of the members shall be as set forth in the by-laws of the American Legion, Department of Illinois.

SECTIONS 3. TIME AND PLACE OF METTINGS

Meetings of the members shall be held the 2nd Tuesday of each month @ 7:00 PM. Meetings will be held at the Post, currently located at 4501 S. Airport Road, Bartonville, Illinois.

SECTION 4. VOTING AND MEETINGS OF MEMBERS

Each member in good standing present at any meeting shall be entitled to cast one vote upon each proposition submitted. To be eligible for attendance at a membership meeting, a member must be a Member In Good Standing. A Member In Good Standing is one who has paid his membership dues for the calendar year in which the meeting takes place. Attendance at membership meetings is limited to American Legion members. Guests of members and members of the Sons of the American Legion (SAL), or any other person, not a member of the Post, are not permitted to attend membership meetings except at appropriate times as decided by the Commander, or the presiding officer. Voting at membership meetings shall be orally by "YES or "NO" vote or by sign at the discretion of the presiding Officer of the meeting. However, upon motion made from the floor, duly seconded and carried by voice vote, voting upon any questions may be by secret ballot. The Post Commander or his nominee shall preside at all meetings of members and in his absence the Senior Vice Commander or his nominee shall preside.

SECTIONS 5. QUORUM

The quorum at a membership meeting shall be the same as that at a Board of Directors Meeting. There must be at least six (6) members of the Executive Board present at a membership meeting to constitute a quorum.

CHAPTER 7

BOOKS, RECORDS, ACCOUNTS, FUNDS AND PROPERTY

SECTION 1. FUNDS/SOURCE

The funds of the Post shall be obtained by dues assessed against the members of the Post in such amount as decided upon by such members and from all other lawful sources.

SECTION 2. BOOKS AND RECORDS

The following books and records shall be provided from funds of the Post, with the primary focus and purposes set forth below:

A. Record of proceedings of the Board of Directors

A bound book of good quality that is lined, in which the Post Adjutant shall record the proceedings of the Board of Directors,

B. Record of By-laws

A loose leaf book of good quality in which the Adjutant shall record the By-laws, beginning each chapter on a separate page of said book, and recording each section within the chapter numerically under chapter heading.

C. Record of proceedings of the members.

A bound book of good quality, lined and ruled, in which the Adjutant shall record the proceedings of the members of the Post at meetings of such members.

D. Cash Journal

A bound book of good quality, lined and ruled, in which a Finance Officer shall record all monies received and disbursed, showing the date of each receipt and disbursement, and giving a brief description of each transaction.

E. Ledgers

A bound ledger of good quality, lined and ruled or stored in the computer, in which the Finance Officer shall record the accounts of each member of the Post and each firm or person with whom the Post does Business.

F. Property Book

A bound book of good quality, lined and ruled or stored in the computer, in which the Finance Officer shall record all personal property purchased by the Post and upon disposition of the same, he shall indicate by note over each entry the manner of disposition,

G. Voucher File

The Finance Officer shall keep a record of all bills payable and bills paid.

H. Check Book

A Finance Officer shall keep a large checkbook in which he shall record all pertinent information for each check. He shall retain all canceled checks or photocopies of canceled checks for further review as necessary, for a period of not less than one year.

SECTIONS 3. ACCOUNTS

Accounts shall be kept as provided in Section 2 of Chapter 7 above and shall be audited by the Board of Directors once a year.

SECTION 4. RECEIPT, SECURITY AND DISBURSEMENT OF FUNDS

Funds shall be received by the Finance Officer and he shall deposit said funds in a banking institution of his choice to the credit of the American Legion Limestone Post No. 979. The Board of Directors shall fix by resolution the authority and responsibility for payment of obligations of the Post, the manner in which bills shall be approved before payment, and the signature or signatures required before payment, and the signature or signatures required upon each check. A duly certified copy of said resolution shall be filed with the bank in which the funds of the Post are kept.

To withdrawal or cash in any Certificate of Deposit must be approved by the Executive Board and brought before the membership for approval.

SECTIONS 5. BONDING

Bonding is required of the following positions: Finance Officer, Building Manager, Raffle Chairman, Raffle Trustee, Building Manager Trustee, Commander, Senior Vice Commander, Adjutant and Bookkeeper.

SECTION 6. DISPOSAL OF POST PROPERTY

No member will be allowed to dispose of or cause to be disposed of any piece of property, valued in excess of two hundred dollars (\$200), belonging to the American Legion Limestone Post No. 979 without the formal approval from a majority of the body at a regular stated meeting. Members who dispose of or cause to be disposed of any property belonging to the Post without prior formal approval as outlined above shall be required to return said property or replace the property with a like piece of property or reimburse the Post at a rate agreed upon by the membership.

CHAPTER 8

THE MAINTENANCE AND RENTAL OF HALL AND SHELTER

- A. The remodeling of any part of the property of Limestone Post No. 979 shall be done only after a vote of approval by the majority of the body at a stated meeting.
- B. Three (3) members in good standing shall serve on any work party appointed by the Steering Committee. When possible, they shall be qualified in the area of work they are supervising, to ensure that the work undertaken shall be up to professional standards.
- C. When the hall is to be rented, a contract shall be drawn up stating hours and dates. It will also state that any damage or unnecessary mess to the Legion property caused by the neglect of tenants or his party shall be the responsibility of the tenant.
- D. Any tenant who rents the hall or shelter for any purpose where beverages (i.e. soda, beer, liquor) are to be either sold or given away shall be required to buy all said beverages from the Post. If beer is to be resold by tenant, they are responsible for a city liquor license and Dram Shop Insurance, proof of which shall be presented to the Bar Chairman within 48 hours of the rental.
- E. If a member of the Post, S.A.L. or Auxiliary wants to rent the hall or shelter for themselves, they may do so, if the same is available, at the rate determined by the membership. The member must agree to the standard rental agreement that is in effect at the time of the rental. The member renting the Hall or Shelter must be present at all times during the event.
- F. The Post shall have at least one representative present at all times, during the rental period.
- G. The use of the hall or shelter for a benefit shall be on an availability basis, but shall not be more than twelve times per year.
- H. Members in good standing for one (1) year are eligible for hall and shelter rentals at discount prices, as outlined in Paragraph 8E.

CHAPTER 9

BUILDING MANAGER RESPONSIBILITIES

LEGION BAR

- A. The Building Manager will be hired by the Executive Board. The Building Manager will report to the Executive Board. The Executive Board will have the right to hire and terminate this job at any time.

- B. The first year of a hired Building Manager, the Executive Board will hold a meeting for the discussion of progress by the Building Manager at six (6) months. Thereafter, it will be held once a year

- C. Applicants with prior Military Service will be given extra consideration.

- D. The Legion bar shall be managed by what is to be known as Building Manager and in charge of the bar committee. Their duties will be to take charge of all monies generated by the sale of the various products in the bar. They will be responsible to ensure that the bar is supplied with the products necessary for a successful business. They will give a bar report to the members in good standing at least once each month. They will answer to the members of the Executive Board as chairman of the committee. The Building Manager is not authorized to delegate any of their duties as Chairman to any other person without the consent of the Executive Board.

- E. The duties of the Executive Board shall be:
 - 1. Meet at least once a month with Building Manager to discuss the financial condition of bar.
 - 2. Give ideas on how things can be improved and recommend changes, etc.
 - 3. Ensure that the bar is staffed by qualified personnel for the successful duties of bartending and janitorial duties.

- F. The Building Manager shall have the authority to hire personnel to carry out the duties of operation of the bar. The Building Manager must receive approval from the Executive Committee before any employee is terminated from employment. The Building Manager is empowered to suspend an employee for disciplinary actions, and within 24 hours report the incident to the Commander, who will contact the Executive Board and recommend their means of action to be taken.

- G. No one who is intoxicated shall be allowed to buy any alcoholic beverages from the Legion bar. If the bartender thinks anyone is too intoxicated to drive, he/she shall notify a responsible party to provide safe transportation home. Any member who does not comply with this provision shall be refused service of alcoholic beverages thereafter.
- H The bartender will allow no arguments in the bar. If there is an argument, the bartender has the discretion to request the parties involved to leave. If they fail to comply, he/she will call local law enforcement to have them removed. Under no circumstances is abusive language or behavior to be tolerated at the bar. The bartender shall have discretion to refuse service to anyone who exhibits abusive language or behavior. The Building Manager shall have the discretion to temporarily suspend bar privileges of any members of the American Legion, SAL, or Auxiliary and their guests if they violate this provision. The Building Manager shall then bring the matter to the Executive Board at their next scheduled meeting for a hearing to determine whether the suspension should remain in effect, and the length of the suspension.
- I The Building Manager shall have on hand enough money at all times for the successful running of the bar. Any surplus shall be turned over to the Financial Officer, who will in turn deposit profits into the general fund,
- J. The Bar shall operate at regularly scheduled hours as determined by the membership, in accordance with the authority granted by the liquor license. Notwithstanding the authority of the liquor license to remain open, the bartender on duty shall have the discretion to close the bar if in their judgment there is insufficient business to warrant the bar remaining open. Any complaints concerning the early closure of the bar shall be made to the Building Manager.
- K. The Building Manager must have and maintain, a Food Handlers License from the Health Department
- L. The Building Manager will have all responsibilities for maintaining Post 979.

CHAPTER 10

ACTIVITIES

- A. The Activities Committee shall have one Chairman. He will be known as the Building Manager in charge of Activities. Their duties will be to take charge of all monies raised by the sales of various products and functions related to activities. They will at all time keep a ledger of all transactions pertaining to the activities, and give a report on these monies to the members in good standing at least once each month. They will answer to the members of the Executive Board as chairman of the committee.

- B. The Building Manager will have on hand enough money at all times for the successful running of all activities. The Executive Board with the approval of the membership will determine this amount. Any surplus shall be turned over to the Finance Officer who will then in turn deposit it into the General Fund.

CHAPTER 11

RAFFLE CHAIRMAN AND COMMITTEE

- A. The American Legion shall have one Raffle Chairman. He will be known as the Raffle Chairman in charge of weekly Post Raffle. His duties will be to take charge of all monies earned by the sale of products and the operation of Raffle. He shall, at all times, keep a ledger of all transactions pertaining to the running of the weekly Post Raffle. He will see that Raffle is supplied with the products necessary for a successful business. He will give an account of the monies made and spent by Raffle at least once a month to the members in good standing. He will answer to the members of the Executive Board as chairman of the committee.
- B. The Raffle Chairman shall have on hand enough money at all times for the successful running of Raffle. This amount will be determined by the Executive Board and approved by the membership. Any surplus monies will be turned over to the Financial Officer, who will in turn deposit the excess into the General Fund.
- C. The Raffle Chairman or Raffle Trustees, shall be the final arbiter of any disputes that may arise during the operation of Raffle. The Chairman shall ensure that no person under the age of 18 years be permitted to purchase Raffle Tickets.
- D. Weekly Post Raffle Committee will consist of: Raffle Chairman, Raffle Trustee, Building Manager and Finance Officer, plus two (2) more appointed members SAL, Legion, Auxiliary.

CHAPTER 12

FINANCE OFFICER AND COMMITTEE

- A. The American Legion shall have one Finance Chairman. He will be known as the Finance Officer. His duties will be to supervise the receiving, disbursement, and accounting of all Post funds. He will also prepare an annual budget recommendation for the Post, and advise the Post on all financial policies. The Finance Chairman shall report to the Executive Committee, and be responsible to the Executive Committee as the Chairman of the Finance Committee.
- B. The Finance Officer is to ensure that all funds received by the Post are handled in accordance with rules set forth in Section 4 of Chapter 7 of the Post By-laws.
- C. The Finance Chairman is not authorized to delegate any of his duties as Chairman to any other person without the consent of the Executive Board.
- D. Commander expense (mileage) not to exceed \$150.00 per month.
Finance Officer expenses (mileage) not to exceed \$150.00 per month
Chaplain expenses (mileage) not to exceed \$50.00 per month