

November 4, 2020

Steve Milbourn, Commander  
Greenwood Memorial Post No. 5864, VFW  
1842 Veterans Way  
Greenwood, IN 46143-1608

Re: Proposed Amended Bylaws

Dear Comrade Milbourn:

Receipt is acknowledged of the proposed revised Bylaws for Post No. 5864, 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,



Johnathan R. Duncan, Director  
Administrative Operations

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

**NATIONAL HEADQUARTERS**

**WASHINGTON OFFICE**

# VETERANS OF FOREIGN WARS OF THE UNITED STATES

TELEPHONE (317) 377-1795

DEPARTMENT OF INDIANA  
9555 E. 59th STREET  
INDIANAPOLIS, INDIANA 46216

FAX (317) 377-1797



20 October 2020

Commander-In-Chief Hal J. Roesch II  
Veterans of Foreign Wars of the United States  
406 West 34<sup>th</sup> Street  
Kansas City, MO 64111

Attn: Johnathan Duncan

Subj: GREENWOOD MEMORIAL POST 5864, GREENWOOD, INDIANA BY-LAWS

Comrade Commander-In-Chief Roesch:

Enclosed find revised/amended by-laws from VFW Post 5864, Greenwood, Indiana. This document has been reviewed and it is believed to be in compliance and acceptable.

Department of Indiana respectfully requests the review and approval of the October 6, 2020 dated Post 5864 By-Laws.

Yours in Comradeship,

A large, stylized handwritten signature in black ink, appearing to read "REBECCA E. MURPHY".

REBECCA E. MURPHY  
STATE ADJUTANT  
DEPARTMENT OF INDIANA VFW

Encl: Post 5864 By-Laws (3 Copies)

CC: State Commander David Capshaw

Veterans of Foreign Wars

OCT 27 2020

Administrative Operations-GM



Greenwood Memorial

# *Veterans of Foreign Wars Post 5864*

1842 Veterans Way ♦ Greenwood, IN 46143 ♦ 317-888-2488

Date: August 8, 2020

To: VFW Post 5864 Members

Re: By-Laws Revision for the Post

These Post By-Laws were rewritten late last year to reflect no Men's Auxiliary and that only one (1) Auxiliary now exists and it is not the Ladies Auxiliary. It is called the Auxiliary and allows men to join also.

There are some other minor changes which changed men or his to men and women and his or hers, etc. All the changes are circled in red.

Please review these By-Laws. If you have an issue, put it in writing and the By-Laws Committee will review those item(s) you send in and make changes as needed.

The changes should be sent to Steve Milbourn, at [steve.milbourn@aol.com](mailto:steve.milbourn@aol.com).

The changes must be in our hands no later than Thursday, October 1, 2020 at 5 p.m. That gives everyone a total of 53 days from today, Tuesday, August 8, 2020 to review them and determine whether there needs to be any changes.

The rules require 30 days minimum.

Thanks.

Steve Milbourn  
Commander  
Greenwood VFW Post 5864  
317-525-7291  
[steve.milbourn@aol.com](mailto:steve.milbourn@aol.com)

**P.S. – By the way, if you have an e-mail address, please send it to me. We have a monthly newsletter which we can send via e-mail. You will get it via BCC (Blind Carbon Copy) so that no one can copy your e-mail address. Thanks much.**

# NATIONAL BYLAWS/MANUAL OF PROCEDURE CONFLICT

## POST 5864 INDIANA

### **Article II Section 1**

Add "Department Convention"

*Reason: To provide for all the appropriate governing bodies of the Post.*

### **Article III Section 1**

Remove second sentence

*Reason: The procedure to change the meeting place is provided in section two.*

### **Article III Section 2**

Replace second and third sentences with "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."

*Reason: To conform to Section 205 of the Manual of Procedure.*

### **Article III Section 4**

Replace "Nine (9), but not less than six (6)" with "seven (7)"

*Reason: To provide the number of members required to constitute a quorum for the transaction of business and preclude any misunderstanding. Confirmed with the Post Commander on October 28, 2020.*

### **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**

Replace with "These Bylaws may be amended by the Post by a two-thirds vote of the members present and voting at a meeting, provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments."

*Reason: To conform to Section 202 of the National Bylaws, and preclude any misunderstanding on the process to amend Post Bylaws.*

# **Greenwood Memorial Post 5864 Veterans of Foreign Wars of the United States**

## **Article I -- Name and Location**

- Section 1. By virtue of charter granted, this Post shall be known as Greenwood Memorial Post 5864 Veterans of Foreign Wars of the United States.
- Section 2. The location of this Post shall be in the City of Greenwood, County of Johnson, State of Indiana.

## **Article II -- Subordination**

- Section 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 Indiana, 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 Indiana. Resolutions adopted by the National Convention are held to be lawful orders.

## **Article III -- Meetings**

- Section 1. Place: The regular meeting place of this Post shall be at 1842 Veterans Way, Greenwood, Indiana 46143.
- Section 2. Time: The regular business meeting of this Post shall be held on the first (1<sup>st</sup>) Tuesday of each month at 7:00 p.m. *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.*
- Section 3. Special meetings may be called in accordance with the provisions of the National Bylaws.
- Section 4. Quorum: *Seven (7)* members in good standing shall constitute a quorum for the transaction of business.

## **Article IV -- Membership**

- Section 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.
- Section 2. The admission fee of this Post shall be \$1.00 payable in accordance with the National Bylaws.
- Section 3. The dues of this Post shall never be less than the amount required to cover Department and National dues.

## **Article V -- Officers**

- Section 1. Eligibility to, nomination, election or appointment, installation and term of office shall be in accordance with the provisions of the National Bylaws.
- Section 2. The duties of all officers shall be those prescribed by Department and National Bylaws, lawful orders as the Post may direct and as these Bylaws may provide.

## **Article VI -- Committees**

- Section 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.
- Section 2. The Standing Committees of the Post shall be as follows:
- |                      |                          |
|----------------------|--------------------------|
| (a) Membership       | (g) Americanism          |
| (b) Relief           | (h) Ways & Means         |
| (c) Poppy            | (i) Community Activities |
| (d) Publicity        | (j) Safety               |
| (e) Youth Activities | (k) Bingo                |
| (f) House            |                          |

Section 3. House Committee:

- (a) The House Committee shall be elected by the Post members 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 three (3) elected members, one (1) each of whom shall be elected annually for a three (3) year term. Trustees shall not serve on the House Committee. In addition, the Post 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 (one thousand dollars).
- (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 (51%) of members present *and voting* at a regular or special meeting called for that purpose; at least thirty (30) days' notice in writing or by electronic mail (email) or a combination of the two methods 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**

- Section 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.
- Section 2. All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- Section 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.
- Section 4. For purposes of this Article, the *Veterans of Foreign Wars Auxiliary* and Military Order of the Cootie 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**

- Section 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 and in addition to the signature of the Quartermaster, shall be countersigned by the Post Commander.
- Section 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.
- Section 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**

- Section 1. No compensation shall be paid to any officer of this Post for their services as such officer, except as hereafter may be provided.
- Section 2. For services rendered, the Post may, by majority vote, 51% (fifty-one percent), 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.
- Section 3. The Post Quartermaster will be paid \$300.00 (three hundred dollars) per month on the first day of the month following the month he or she was entitled to receive the compensation.

## **Article X -- Fundraising, Promotions and Solicitations**

- Section 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.
- Section 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.
- Section 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.

- Section 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.
- Section 5. No solicitations or ticket sales shall be permitted in the Post quarters or at socials or meetings unless such solicitations or ticket sales shall have been approved by the Post.

#### **Article XI -- Miscellaneous**

- Section 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.
- Section 2. One copy of these Bylaws shall be issued to each elected and appointed officer of this Post.
- Section 3. In all Post procedures not provided for by the Congressional Charter and Bylaws or these Bylaws, Robert's Rules of Order, Newly Revised 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(s).

#### **Article XII -- Speeches**

- Section 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**

- Section 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.

Section 2. *These Bylaws may be amended by the Post by a two-thirds vote of the members present and voting at a meeting, provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments.*

Section 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 herein.

These Bylaws were adopted, subject to the review of the Commander-in-Chief and the Commander of the Department of Indiana, Veterans of Foreign Wars of the United States on this 6<sup>th</sup> day of October, 2020, at a regular meeting of this Post in the City of Greenwood and County of Johnson, State of Indiana.

Greenwood Memorial Post 5864  
Veterans of Foreign Wars of the United States

ATTEST:

By   
Commander -- Stephen K. Milbourn

By   
Adjutant – Jay A. Collars

