



7.

BY-LAWS

LEPERT-WOLEVER POST NO. 2543

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 Lepert-Wolever Post No. 2543, Veterans of Foreign Wars of the United States.
- Sec. 2. The location of this Post shall be in the City of Plattsmouth, County of Cass, and State of Nebraska.

Reference:
By-Laws and Manual of Procedure Art. II, Section 201 thru 301.

***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 By-Laws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of Nebraska, 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 Nebraska. Resolutions adopted by the National Convention are held to be lawful orders.

Reference:
*Congressional Charter Sec. 230101
Manual of Procedure Art. II Section 201 thru 205*

***ARTICLE III
MEETINGS***

- Sec. 1. Place: The regular meeting place of this Post shall be at 510 1st Ave. Plattsmouth, NE 68048.
- Sec. 2. Time: The regular meetings of the Post shall be held on the Third (3rd) Tuesday of each month, to be called to order at 7 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 By-Laws.

Sec. 5. Quorum: Five (5) members in good standing shall constitute a quorum for the transaction of business.

Sec. 6. **Electronic Attendance.**

(a) The Veterans of Foreign Wars of the United States has adopted and published additional procedures pertaining to the conduction of all post and committee meetings using technology that allows all participating members to communicate with each other simultaneously.

(b) Such digital meetings shall be permitted at Post 2543 and held at the discretion of the Post Commander or his/her designee. This will facilitate the continuity of Post business in the event of disaster, foul weather, or when public health preventive measures are in place. All members are allowed to participate in meetings.

Reference:

VFW National Executive Order No. 1 dtd 29 June 2020

Manual of Procedure Art. II, Section 201 thru 301.218(a)(1)(c)

By-Laws and Manual of Procedure Art. II, Section 201 thru 301.

**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 By-Laws.

Sec. 2. The admission fee of this Post shall be payable in accordance with the National By-Laws.

Sec. 3. The per capita dues of this Post shall be paid in accordance with the provisions of the National By-Laws. Post dues may be changed from time to time in accordance with Section 206 of the National By-Laws. The distribution of these dues shall be:

(a) \$6.00 to Post 2543 as of July 1st, 2021.

(b) \$21.50 to National

(c) \$12.50 to the Department of Nebraska.

(d) Currently totaling annual dues of \$40.00.

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

Sec. 4. A new member may also become Life member by making a one-time payment, or they can pay for a Life Membership through an installment plan with an initial payment of \$45 and the Life membership amount is billed over an 11-month period.

Reference:

By-Laws and Manual of Procedure Art. I, Section 101 thru 111.

By-Laws and Manual of Procedure Art. I, Section 206.

**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 By-Laws.
- Sec. 2. The duties of all officers shall be those prescribed by National and Department By-Laws, lawful orders as the Post may direct and as these By-Laws may provide.
- Sec. 3. Per VFW National By-Laws no member shall hold two (2) elected offices at the same time. However, they may hold one elected office and one or more appointed leadership positions.
- Sec. 4. The officer positions listed below shall be elected annually each April to be installed in May and assumed their duties in June:
- | | |
|---------------------------|----------------------------------|
| (e) Commander | (j) 3 rd Year Trustee |
| (f) Senior Vice Commander | (k) 2 nd Year Trustee |
| (g) Junior Vice Commander | (l) 1 st Year Trustee |
| (h) Quartermaster | (m) Adjutant |
| (i) Chaplain | |
- Sec. 5. The offices listed below shall no longer be required as per National By-Laws (*) and thus are considered suspended from appointment. If at some future date the Post deems it necessary to revive the positions it may do so by a majority vote of the members present at a regularly scheduled meeting and subsequently change these By-Laws:
- (a) Judge Advocate
- (b) Post Surgeon
- Sec. 6. In the event any vacancy or if an officer cannot fulfill their term of office, the Post Commander may appoint an interim candidate until such time as the Post membership may elect a new officer at a scheduled or special meeting(**).

Reference:

By-Laws and Manual of Procedure Art. II, Section 226 - 218

** By-Laws and Manual of Procedure Art. II, Section 216 (c)*

*** By-Laws and Manual of Procedure Art. II, Section 220*

**ARTICLE VI
COMMITTEES AND DUTIES
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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. Standing Committees. VFW Post 2543 has consolidated its Standing Committees into like tasks as follows:

(a) The House Committee

- (1) Ways & Means
- (2) Safety
- (3) Marketing & Publicity
- (4) Games (Bingo, Pickles, Keno)

(b) Veterans Activities

- (1) Membership
- (2) Poppy
- (3) Relief

(c) Community Activities

- (1) Youth Activities
- (2) Scouting
- (3) Scholarships
- (4) Americanism

Sec. 3. House Committee:

- (a) The House Committee shall be appointed by the Post Commander 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 members, one of whom shall be elected annually by the membership for a three-year term.
- (i) In addition, the Post Commander and Post Quartermaster who by virtue of their offices shall be members of the House Committee. The Post Quartermaster, by virtue of his office, shall be the treasurer of the House Committee. Trustees shall not serve on the House Committee.
- (b) In order to ensure clear communication, better planning of post related activities, and as a resource of experience support, two (2) non-voting seats are offered by the Post as a courtesy, to the Post VFW Auxiliary as their input and support is a welcome addition to our efforts and are greatly appreciated.
- (c) The Committee shall be responsible for the cleanliness and upkeep of the quarters and the equipment therein.
- (d) The House Committee shall be responsible for setting and updating of policies regarding:
 - a. Safety
 - b. Risk Assessment & Management
 - c. Business Continuity & Disaster Preparedness Planning
- (c) The Committee shall be in charge of all usage of the Post's quarters and shall exercise such supervision of events & activities 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 \$2,000.00.

- (e) All monies received by the Committee through the 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 by an approved accounting method 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.

Reference:

Congressional Charter Art. II Section 215 thru 220

Manual of Procedure Art. II Section 215 thru 220

**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 and Military Order of the Cootie are governed by Articles XI and XII respectively of the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars and their respective By-Laws, rules and regulations.
- Sec. 5. The Post shall provide more in-depth guidance through the creation and maintenance of Standard Operating Procedure (S.O.P.) manuals for subsidiary units and activities, so long as they are in accordance with the provisions of the National By-Laws, and are kept current.

Reference:

Congressional Charter Art. XI & XII.

**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 By-Laws.

- Sec. 2. The adoption of this Article shall constitute authorization by the Post for the payment of bills, when and as due, for monthly wages, monthly rental, public utility services, postage, janitor service and for janitor's supplies and minor emergency repairs.
- Sec. 3. No other payment or expenditure shall be made except on the specific authorization of the Post in each and every case.

Reference: *Congressional Charter Art. XI & XII.*

ARTICLE IX COMPENSATION

- Sec. 1. No compensation shall be paid to any officer of this Post for their 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.

Reference: *Congressional Charter Art. XI & XII.*

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 Commander, 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. 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.

Reference:

(CG) Art. II Section 101 thru 111

(MOP) Art. II Section 101 thru 111

Manual of Procedure Art. II Section 214.

**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 By-Laws shall be issued to each elected and appointed officer of this Post.
- Sec. 3. In all Post procedures not provided for by the Congressional Charter and By-Laws or these By-Laws, Robert's Rules of Order.
- Sec. 4. Rules regarding members wear of any seal, emblem, badge, insignia or uniform of the Veterans of Foreign Wars.
- (a) The VFW's congressional charter prohibits the organization from endorsing or otherwise supporting political candidates or any individual running for a public office position. (Section 803 of the By-Laws goes on to say:
- (1) *"No member or other person shall use or wear any seal, emblem, badge, insignia or uniform of the Veterans of Foreign Wars of the United States while engaged in any commercial or political activity in such a manner as likely to falsely convey that such activity is approved or endorsed by the Veterans of Foreign Wars of the United States."*
- (b) Members will follow the action of the Chaplin or presiding officer relative to the removal of headgear during prayers.
- (b) Official caps will not be worn during luncheons, banquets or other meals.
- (d) Official garrison caps will be the only head covering allowed to be worn at regular meetings of the Veterans of Foreign Wars of the United States.

Reference:

(CG) Art. II Section 101 thru 111

(MOP) Art. II Section 101 thru 111

(MOP) Article VIII, Sec. 803

**ARTICLE XII
SPEECHES**

Sec. 1. No member will be permitted to speak at any post meeting, on any one (1) 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.

Reference:

(CG) Art. II Section 101 thru 111

(MOP) Art. II Section 101 thru 111

**ARTICLE XIII
AMENDMENTS**

Sec. 1. These By-Laws 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 By-Laws 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.

Sec. 3. Wherever these By-Laws or subsequent amendments may be found to be in conflict with the present or any future Department or National By-Laws, the latter shall prevail and be binding upon this Post as though written herein.

Reference: Congressional Charter Art. XI & XII.

These By-Laws were adopted, subject to the review of the Commander-in-Chief and the Commander of the Department of Nebraska, Veterans of Foreign Wars of the United States on this ___ day of _____, 2020, at a regular meeting of this Post in the City of Plattsmouth and County of Cass, State of Nebraska.

Lepeert-Wolever Post No. 2543
Veterans of Foreign Wars of the United States

ATTEST:

Adjutant

Commander