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May 24, 2019

Mr. Gerry Merrihew, Sr. Vice Commander
Enterprise – Coffee County Chapter #9
Disabled American Veterans
P.O. Box 310972
Enterprise, AL 36331

EIN: 31-0947681

Dear Mr. Merrihew:

The Constitution and Bylaws for Enterprise – Coffee County Chapter #9, Department of Alabama, is hereby approved as of this date.

A copy of this document is being returned to Enterprise – Coffee County Chapter #9 along with a copy to the Department of Alabama. A copy is also being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael E. Dobmeier', is written over a light blue circular stamp.

MICHAEL E. DOBMEIER
National Judge Advocate

MED:kgb
Enclosure

c: Department of Alabama



FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

Chapter Constitution and Bylaws

Disabled American Veterans

Enterprise Coffee County

Chapter 9





FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

Chris Jones
Chapter Adjutant

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Unless otherwise stated, whenever the masculine gender is used, both men and women are included.

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CONSTITUTION

ARTICLE I – NAME

The name of this Chapter shall be " Enterprise - Coffee County, Chapter Number 9" Disabled American Veterans.

ARTICLE II – PURPOSE

To uphold and maintain the Constitution and the laws of the United States; to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, gassed, injured and disabled veterans; to cooperate with the United States Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health and interest of all wounded, gassed, injured and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness and comradeship among all wounded, gassed, injured and disabled veterans; to serve our comrades, our communities and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

ARTICLE III – MEMBERSHIP

Membership in this Chapter shall conform to the requirements as set forth in the National Constitution and Bylaws. There shall be no associate, special or honorary memberships in this Chapter.

ARTICLE IV – ADMINISTRATION

Section 1. At the time specified in the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Chaplain, Treasurer and three (3) Executive Committee members. Such other officers as may be necessary to operate the Chapter may be appointed by the Commander, with the approval of the Chapter. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Section 2. The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Chaplain, Treasurer, and three (3) Executive Committee members. No member can hold more than one elected Chapter office at a time.

Section 3. The administrative affairs of this Chapter shall be vested in the Chapter Executive Committee in emergencies only and all other actions of the Chapter Executive Committee must be ratified by a majority vote of those Chapter members present and voting, at the next regular Chapter meeting.

ARTICLE V – EXECUTIVE

The executive power of this Chapter shall be vested in the Chapter Commander.

ARTICLE VI – AUXILIARY

The Chapter recognizes an Auxiliary, subject to such supervision commitment with its parent Chapter of the Disabled American Veterans.

ARTICLE VII – AMENDMENTS

This Constitution may be amended at any Chapter meeting by a vote of two-thirds of those Chapter members present and voting, subject to approval of the Department and National Judge Advocates, and effective only after the date of said approval, provided that any such amendment is read at two (2) meetings and that all Chapter members were notified of the proposed change prior to each of the two (2) meetings.

BYLAWS

ARTICLE 1 – ORGANIZATION

Section 1. Governing body of this Chapter shall be the Chapter in session, except as provided in the Constitution and Bylaws.

Section 2. Recorded by the Chapter Adjutant, the records of the Chapter proceedings and Executive Committee shall be open to inspection to any member in good standing.

Section 3. This Chapter recognizes the National Organization known as Disabled American Veterans, incorporated by Act of Congress, and affirms its allegiance, and subordination to the National Organization, its Constitution, Bylaws, and all rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after the payment of its debts shall be distributed as provided in Article 6, Section 6.4. Paragraphs 5 and 6, of the National Bylaws.

ARTICLE 2 – CHARTER

Displayed behind the commander's station at all regular and special meetings is the Charter of this Chapter as its authority to function, issued by the National Department.

ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, three (3) Executive Committee members elected by the general membership. The Executive Committee will elect a Chairperson, from the Executive Committee, that will vote only in a tie. The Adjutant is a ex officio member of the Executive Committee for recording purposes.

Section 2. Appointed officers, committee chairpersons and other Chapter members may attend the Chapter Executive Committee meetings. They do so without the right to vote or address the Executive Committee without the permission of the Chair.

Section 3. The Chairperson will call meetings of the Executive Committee, or at the request of the commander or by a majority of its members made in writing to the chairperson.

Section 4. A majority of the Executive Committee members shall constitute a quorum.

Section 5. The Executive Committee may act for the Chapter on fiscal matters not to exceed expenditures of \$300.00 (Three Hundred Dollars) for welfare grants, purchase of chapter supplies, and necessities required for the next Chapter in session. announced at the next regular Chapter in session must be all afore mentioned expenditures acted upon only with a majority approval of the Executive Committee.

ARTICLE 4 – OFFICERS

Section 1. The Commander shall appoint the Adjutant, Judge Advocate and such other officers to preside over committees as are necessary to carry out the business of the Chapter.

Section 2. In the absence of the Chapter Commander, the presiding officer shall be the next highest officer in the line of succession who is present at special and regular meetings or events.

Section 3. The Senior Vice Commander shall be the Membership Chairperson and as such is responsible for campaigns to increase membership.

Section 4. The Treasurer shall keep an accurate record of all money received and disbursed and shall deposit any money received as soon as possible. All disbursements shall be made by check. The Treasurer shall make an accurate financial report at each general meeting and the records shall be open to any member after submitting a written request through the Executive Committee. The Chapter annual financial report is due at Department and National, if necessary, no later than 30 September.

ARTICLE 5 – QUALIFICATIONS

Section 1. Any person who is a Chapter Member in good standing shall be eligible to run for election to any elective or appointive office in the chapter.

Section 2. The definition of a member in good standing is found in the National Constitution, Bylaws and Regulations of the Disabled American Veterans “Article 11 – Membership, Section 11.1: Definition.”

ARTICLE 6 - TENURE OF OFFICE

Section 1. The nomination of officers shall be in May annually

Section 2. The election of officers shall be held in June annually.

Section 3. The installation of elected and appointed officers shall be at the regularly scheduled general membership meeting in July.

Section 4. The unexcused absence of any Officer or Executive Committee Member from three consecutive meetings shall be cause for removal. The Chapter Commander may appoint a replacement member to serve the unexpired term of duty with the approval of the Chapter.

Section 5. In event the office of the Commander shall be vacated for any reason, the Senior Vice Commander shall be elevated to the Commander, Junior Vice Commander to Senior Vice Commander, and the vacancy for the Junior Vice Commander filled as outlined in Section 4.

ARTICLE 7 – MEMBERSHIP

Section 1. Application for transfer shall be submitted to the Membership Committee for review, and a report made to the Chapter on its recommendation as to the disposition of the request. The Chapter in session must approve any transfer by a majority vote.

Section 2. Only members in good standing are eligible to vote on any motion or election and/or offer a motion or to second the same.

Section 3. No Person shall vote prior to official start of the meeting.

ARTICLE 8 – FINANCES

All monies received by the Chapter shall be under custody of the Chapter Treasurer and maintained in a Chapter account with the Chapter Commander, Treasurer and Adjutant on signature card. All disbursements shall be by check and signed by an authorized officer on the financial institution signature card. All vouchers for reimbursement must be signed by the Chapter Commander and Adjutant.

ARTICLE 9 – MEETINGS

Section 1. Chapter meetings shall be held at least ten (10) times per year. A majority vote of the Chapter in session will set meeting dates. Special meetings may be held with a majority vote of the Executive Committee, only when the business to be conducted is of such urgent nature that it cannot be held over to the next regular membership meeting, and when the Chapter Members are notified in writing seven (7) days prior to the special meeting date.

Section 2. Chapter meetings are held at Pofolks Restaurant Enterprise Alabama at 6:30pm on the 2nd Thursday of each month.

Section 3. Rules of Chapter meetings shall be as follows:

RULE 1. A quorum shall consist of seven (7) members in good standing, of which at least three (3) must be officers.

RULE 2. Roberts Rules of Order, Revised, shall govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with this Constitution and Bylaws, the Department Constitution and Bylaws, or the National Constitution and Bylaws.

RULE 3. Discussion of personal grievances will not be in order on the floor unless introduced by the Grievance Committee or other Committees having the authority to consider any such matters.

RULE 4. Matters concerning one individual only, with respect to his/her personal interest, shall not be in order but may be taken before the proper committee.

RULE 5. Voting shall be by voice unless otherwise requested by the Commander or a majority of the members present. Exception, during election of officers voting will be accomplished by written ballot.

RULE 6. There shall be no voting by proxy or voting by absentee ballot.

ARTICLE 10 – COMMITTEES

Section 1. All Committees shall meet at the call of the Chairperson, Commander, and/or the Chairperson of the Executive Committee.

Section 2. Committees shall consist of not less than three (3) members, except as otherwise herein provided, including the chairperson, and shall be appointed by the Commander with the approval of the Chapter in session.

Section 3. The Chapter Commander shall be a member ex officio of all committees.

Section 4. This Chapter has made a provision for an Honor/ Color Guard. Appointed by the Commander, the Non-Commissioned Officer in Charge (NCOIC) shall direct and supervise the Honor/ Color Guard. The Honor/ Color Guard shall be comprised of no less than the NCOIC, the Assistant NCOIC, and five (5) to twenty (20) volunteer Honor/ Color Guard members inclusive of a firing squad with an NCOIC and a 4-member color guard, supervised by the Chapter Sergeant at Arms. Volunteers must complete at least four scheduled practices in order to qualify for placement on the Honor/ Color Guard. The Chapter shall make the necessary provisions to provide each member, having attended four honor/color guard practices, with DAV Cap and DAV Shirt with accoutrements for a proper unified appearance during Honors ceremonies. Once selected to be a permanent part of the Honor/ Color Guard, the selection will remain in effect until such a time as the member either discontinues participation with the Honor/ Color Guard, for reasons such as poor health, or removal from the Honor/ Color Guard with recommendation by the NCOIC and concurrence by the Executive Committee. In the absence of the NCOIC, the Assistant NCOIC will supervise the Honor/ Color Guard. The NCOIC is responsible for scheduling

all training, uniform appearance criteria, conduct of the Honor/ Color Guard, and will make a monthly report of the Honor/ Color Guard's status during general membership meetings.

Section 5. The Honor Guard/ Color Guard NCOIC will ensure members maintain shirts and caps provided by the Chapter remain in serviceable condition. It is the member's responsibility to pay for any repair costs after receiving their uniform items. Those uniform items, provided by the Chapter, will be returned to the Chapter once an Honor/ Color Guard member is relieved or leaves the Honor/ Color Guard.

Section 6. Members resigning from Honor/ Color Guard duties, after having served a period of three years or more, will have the opportunity to purchase the uniform items they wear. The cost of said items will be at a proration of 10% off the original cost of the items in their possession for every year of their service on the Honor/ Color Guard. Uniform items will be returned to the chapter if electing not to purchase them.


ARTICLE 11 – MISCELLANEOUS

Section 1. Two members of the Executive Committee will make the judgment and consideration of all welfare grants; preferably, the Chapter Adjutant and one other Executive Committee person shall visit the needy person and conduct a necessary investigation to verify the status of the need for the grant under the supervision of the Veterans Affairs Committee Chairperson. Those members making the investigation shall promptly communicate the necessary details to the Chapter Commander, who will in turn solicit a majority vote of the members of the Executive Committee for authority to dispense the grant. All welfare grants shall be made out to a two party, pay to the order of, on each check dispersed. The check shall indicate the recipient of the money and the ultimate person and/or agency for which the money is intended. The maximum disbursement in any case shall not exceed three hundred dollars (\$300.00) without the approval of the Chapter members in regular session.

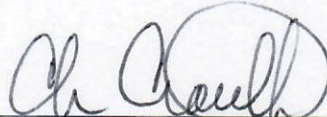
Section 2. All amendments shall be subject to approval of the Department and National Judge Advocate and effective only after the date of such approval.


Section 3. To the extent to which the provisions of this Constitution and Bylaws are or may at any time become inconsistent with the provisions of the Constitution and Bylaws and lawful mandates, decisions and regulation of either the Department or National Department, is now in force or as hereafter amended or adopted this instrument shall be deemed so as to conform thereto, except to the provisions of Article VI of the Constitution as stated herein. This stated requirement with respect to having an Auxiliary is established to preserve and maintain the essential purpose of that organization as a subordinate element of this Chapter.

Date of Approval: 9 May 2019


Tom Ferguson
Chapter Commander


Chris R. Jones
Chapter Adjutant


Chris Crauthers
Department of Alabama Judge Advocate


Michael Dobmeier
DAV National Judge Advocate

I CERTIFY that the within constitution and/or by-laws does not conflict with those of the National Organization, and to that extent, is approved.

Date: 5-24-19
DAV National Judge Advocate