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July 18, 2023

Ms. Grinda P. Fleshman, Adjutant
Havelock Chapter #26
Disabled American Veterans
468 U.S. Highway 70 W
Havelock, NC 28532

EIN: 35-2442007

Dear Adjutant Fleshman:

The Constitution and Bylaws for Havelock Chapter #26, Department of North Carolina, is hereby approved as of this date.

A copy of this document is being returned to Chapter #26 along with a copy to the Department. A copy is also being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

Michael E. Dobmeier
National Judge Advocate

MED:cmb
Enclosure

c: Department of North Carolina

**DISABLED AMERICAN
VETERANS
DEPARTMENT OF NORTH
CAROLINA
HAVELOCK CHAPTER 26
CONSTITUTION AND BYLAWS**

**As amended and accepted by the
General Membership
Assembled in Havelock NC
November 16th, 2022**

**Office Address:
468 Highway 70 West
Havelock NC 28532
252-652-9166**

CONSTITUTION

PREAMBLE

For God and Nation, and for our commonwealth, we former members of the Armed Forces of the United States having aided in maintaining the honor, integrity, and supremacy of our country, holding in remembrance the sacrifices in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Disabled American Veterans, the principles and purposes of which shall be supreme allegiance to the United States of America, fidelity to its Constitution and laws; to hold aloft the torch of true patriotism; strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military association; and to aid and assist worthy wartime disabled veterans, his or her widows, his or her orphans and his or her dependents.

ARTICLE I- NAME

The name of this Chapter shall be Disabled American Veterans, Department of North Carolina, Havelock Chapter 26, Incorporated. Here and thereafter known within this Constitution and Bylaws as "Chapter."

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 Veteran 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 serve 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, Article 11. There shall be no associate, special, or honorary membership within this Chapter.

ARTICLE IV- ADMINISTRATION

Section 1. The daily administrative affairs of this Chapter shall be vested in the Chapter Commander. All 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 General Membership meeting.

Section 2. The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, and four elected non-officer members.

Section 3. Election of Officers shall be held at the regularly scheduled Chapter General Membership meeting in May of each year. The Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Judge Advocate, Chaplain, and Treasurer. Eligible members are any members in good standing with Chapter, Department, and National Headquarters. There shall be no voting by proxy or absentee ballot.

Section 4. No person shall be elected to any Chapter office if he or she is not present at the General Meeting held in May of each year. An exception to this rule may be made if the nominee is absent due to reasons beyond his or her control, such as being required to work overtime; hospitalization; a serious illness of the nominee or member of the immediate family; or a situation of that of ilk. In addition, the nominee must have stated in writing, his or her desire to serve in the office for which nominated. This exception shall be approved in advance by the Commander and the membership shall be advised prior to the election.

Section 5. Election of Executive Committee members shall be held at the regularly scheduled Chapter General Membership meeting in May of each year. The Chapter shall elect four (4) committee members. Eligible members are any members in good standing with Chapter, Department, and National Headquarters. There shall be no voting by proxy or absentee ballot.

Section 6. 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.

ARTICLE V –EXECUTIVE

The executive power of the Chapter shall be vested in the Chapter Commander, subject to the approval of the General Membership, by recommendation of the Chapter Executive Committee.

ARTICLE VI- AMENDMENTS

Section 1. This constitution may be amended at the Chapter General Membership meeting by two-thirds majority vote of the total members assembled thereat, provided that the proposed

amendments have been read to the General members at least once at two different Chapter General Membership meetings before being ratified or rejected, either in whole or in part.

Section 2. Should it ever be shown that an Article or Section of this Constitution is in conflict with an Article or Section of the Department of North Carolina or National then that Article or Section of the Department of North Carolina or National Constitution shall supersede and govern without changing the force and effect of the remaining Articles or Section of this Constitution.

Section 3. Amendments become effective immediately upon approval of the National Judge Advocate in accordance with Article 8, Section 5 of the National Bylaws.

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BY-LAWS

ARTICLE 1- ORGANIZATION

Section 1. This Chapter recognizes the National Organization known as the Disabled American Veterans, Incorporated by Act of Congress and affirms its allegiance and subordination to the same. Upon dissolution of the Chapter, the assets remaining after the payment of its debts shall be distributed as provided in Article 6, Section 4, Paragraphs 5 and 6 of the National Bylaws.

Section 2. The governing body of the Chapter shall be the Chapter General Membership Meeting, while in session, except as otherwise provided in this Constitution and Bylaws.

Section 3. Minutes of the meetings of the Chapter, including the Chapter Executive Committee, shall be kept and be available for inspection by any Chapter member.

ARTICLE II- CHARTER

The Charter of the Chapter, issued by the National Executive Committee, is its authority to function and shall be displayed in a place of prominence at all regular meetings.

ARTICLE III- EXECUTIVE COMMITTEE

Section 1. The mission of the Chapter's Executive Committee is to serve the membership of the Disabled American Veterans, Department of North Carolina, Havelock Chapter 26.

Section 1.a. One of the purposes for the creation and continuance of the Executive Committee shall be to provide a means for the consideration and discussion of routine and other business affairs of the Chapter and to make recommendations to the Chapter for action. This will serve to reduce the time that might otherwise be consumed during Chapter General Membership meetings in such discussion, streamlining Chapter meetings to provide for earlier adjournment and time for entertainment and social activities. However, the sole power to approve or disapprove such recommendations, or to act in whole or in part, contrary thereto, shall remain in the hands of the Chapter members present and voting.

Section 1.b The Executive Committee may authorize, in writing, the Chapter Commander to act in the best interest of the Chapter in regards to what is specifically authorized.

Section 1.c. The Executive Committee shall also act as a Resolution Committee, and no resolution shall be adopted by the Chapter unless first submitted to the Executive Committee for its recommendations, except by a three-fourths affirmative Chapter vote of the members present and voting at a Chapter General Membership meeting.

Section 1.d. In the event the Executive Committee fails to make recommendations upon any matter referred to it within a reasonable time of thirty (30) days, the Chapter by a majority vote may act upon such matter without receiving the recommendations of the Executive Committee.

Section 2. The Executive Committee shall be composed of the following voting members: Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, and Executive Committee members, the latter to be elected from Chapter members in good standing.

Section 2.a. The Committee shall elect its own Chairperson and Assistant Executive Committee Chairperson from its membership who shall not be the Commander. None of the four (4) Chapter Executive Member Committee members shall hold any other elective office in the Chapter.

Section 3. Immediately upon election of the incoming Executive Committee Chairperson, the Gavel will be passed to the incoming Chairperson for conducting all remaining Executive Committee business. The Gavel is a symbol of leadership and responsibility to the membership of the Chapter.

Section 4. The Chairperson will preside over all business of the Executive Committee during his or her term of office as the Executive Officer Chairperson. Voting shall be by a show of hands on all Executive Committee matters.

Section 4.a. The Executive Committee Chairperson shall vote only as a tie breaker and may enter business for Executive Committee consideration.

Section 4.b. The Assistant Executive Committee Chairperson shall have normal voting privileges except when presiding over the Executive Committee in the absence of the Chairperson.

Section 4.c. Appointed officers, Committee Chairpersons, and other Chapter members may attend the Chapter Executive Committee meetings, but without the right to vote

Section 4.d. The Adjutant attends for recording the proceedings of the Executive Committee meeting, but without the right to vote.

Section 4.e. The immediate Past Commander may attend as a link between the past and current administrators, but without the right to vote.

Section 5. A majority of the members of the Executive Committee shall constitute a quorum.

Section 5.a. Unexcused absences of any Executive Committee member for three (3) consecutive Executive Committee meetings shall be cause for removal by the Executive Committee with the approval of the remaining members. The Commander shall nominate a replacement upon notice

of the vacancy and the nominated member shall become a member of the Executive Committee once approved by the Chapter membership.

Section 5.b. The presiding officer of the Executive Committee shall be the Chairperson. If the Chairperson is not present, the duties shall fall upon the Assistant Chairperson. If both are not present, the Executive Committee shall reschedule the meeting.

Section 6. Meetings of the Chapter Executive Committee will be held each month. These meetings will normally be conducted on the first Wednesday of the month; however, the Chairperson shall have the authority to reschedule meetings in the event of adverse weather, or some other calamity. Notwithstanding, the Chapter Executive Committee meeting must be held at a time prior to the regular Chapter General Membership monthly meeting.

Section 6.a. Special meetings of the Executive Committee may be called by the Chairperson, or at the written request of a majority of Executive Committee members.

Section 6.b. Notice of the time and place of each special meeting shall be given to each member of the Committee not less than forty-eight (48) hours prior to the holding thereof except with the unanimous consent of all members of the committee.

Section 6.c. The person calling the special meeting must provide an agenda with topics to be covered to all Executive Committee members prior to the special meeting taking place. Matters not listed on the agenda will not be addressed during the Special Meeting.

Section 7. All matters brought before the Executive Committee will be handled in an open forum except as determined by the Chairperson when it is in the best interest of the complainant or the Chapter. Chapter Committee Chairpersons may be asked, by the Executive Committee, for a report of his or her areas of responsibility.

Section 7.a. The meeting may be closed for conducting investigations and reopened at the earliest possible opportunity. During a closed session, as determined necessary by the Chairperson, only the Executive Committee members and requested personnel shall be present.

Section 8. Purchases of services and/or merchandise in excess of the Chapter approved and funded budget, must first be brought before the Executive Committee and approved by the Chapter. The Executive Committee may recommend written waivers in the case of operating Committees who must spend over their budgeted amount, subject to the approval of the General Membership at the next General Membership meeting. The Executive Committee is responsible for monitoring the prudent expenditure of money of the Chapter. When it is determined that any member is deliberately spending in a manner that attempts to circumvent the expenditure limit, the Treasurer shall notify the Commander. The Commander may suspend the spending abilities of any individual until a full investigation is conducted.

Section 8.a. The Chapter Executive Committee, Commander, and Office Manager shall oversee and monitor the purchasing of new equipment and disposal of all old equipment. Disposal of Chapter property with a market value equal to or greater than \$500.00 must be approved by the General Membership.

Section 8.b. A copy of approved spending waivers will be forwarded to the Adjutant for file and the Treasurer for action.

Section 8. c. Fund-raising projects, agreements, and contacts must be referred to the Executive Committee for its recommendations and approved by the membership at the next Chapter General Membership meeting. No agreement or contract will be considered binding if it does not go through this process.

Section 9. A copy of the minutes for the Executive Committee's meetings will be provided to the Commander by the Adjutant prior to the next regular Chapter General Membership meeting.

Section 10. The minutes of each meeting of the Executive Committee shall be read at the next following regular Chapter General Membership meeting by the Adjutant. The approval of the minutes by the Chapter shall constitute approval of the recommendations by the Executive Committee as reported in such minutes. When the minutes are read, any Chapter member may request that any part thereof be discussed and/or voted upon separately.

ARTICLE IV- CHAPTER OFFICERS

SECTION 1. GENERAL

Section 1.a Chapter officers shall faithfully perform and carry out such other duties as may be properly assigned to them from time to time by the Chapter.

Section 1.b. A member can hold only one elected Chapter office at any one time. A delegate to a National or Department Convention is not holding an "elected office" within the meaning of this Section, except as otherwise provided herein; an elected officer may also hold an appointed office, and vice versa, except as may otherwise be provided in the National, Department, or these Constitution and Bylaws.

Section 1.c. The office of the Adjutant and Treasurer may be held by the same person. The Service Officer may hold any other elected or appointed office. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Section 1.d. The Senior Vice Commander and Junior Vice Commander, in the order named, shall perform the duties of the Commander in the event of his or her absence. If the Commander

should die, resign, or be removed, the same order of authority would be in effect until a new Commander is elected.

Section 1.e. By accepting any elected or appointed office, a member agrees that his or her services shall be rendered gratuitously and that he or she shall not be entitled to reimbursement for any sums advanced, incurred, or spent unless expressly authorized by the Chapter at a regular Chapter General Membership meeting. No chairperson, committeeperson, Chapter Officer, or other Chapter member shall have the power or authority to incur any expense or obligation or bind the Chapter, unless by prior express approval of the Chapter, evidenced by a majority vote at a regular General Membership meeting.

Section 1.f. A member, by accepting any elected or appointed office, promises and agrees to perform the duties of such office or appointment to the best of his or her ability; to act and conduct themselves in such a manner, at all times and places, as will only affect the good of the Organization, to enforce and sustain this Constitution and Bylaws, and the Constitution and Bylaws of the National and Department organizations. When his or her successor has been duly elected or appointed, to surrender to them without notice or demand all the records and other property of the Chapter in his or her possession or under his or her control.

Section 1.g. A Chapter Officer Report shall be submitted to the Department and National Organization within ten (10) days after the installation of newly elected or appointed Chapter officers or in the event of any subsequent change in the Chapter officers during the membership year.

SECTION 2. ELECTED OFFICERS.

Section 2. a. The Commander, or in his or her absence the next highest officer, shall preside at all regular or special General Membership meetings of the Chapter. He or she shall maintain order and dispatch such business as may legally come before the Chapter. All checks or vouchers issued by the Chapter Treasurer must be countersigned by the Commander or other designated individual. He or she shall perform all other duties that may reasonably be assumed to be incidental to his or her office, including those set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter.

Section 2.b. The Senior Vice Commander shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. He or she shall encourage friendship among the members of this Organization, discourage discord, and promote harmony. Subject to the direction of the Chapter, he or she shall act as Chairperson of the Membership Committee to the end that every eligible veteran may become a member. With the approval of the Chapter, the Senior Vice Commander may appoint one or more members to assist him or her in such activities.

Section 2.c. The Junior Vice Commander shall perform the duties of his or her station as forth in this Constitution and Bylaws, the Office DAV Ritual, the Chapter Officer's Guide, and other such duties as may be lawfully delegated to him or her by the Chapter. He or she shall see that every member is given a reasonable opportunity to state his or her views on any subject under discussion in a General Membership meeting of the Chapter; providing he or she are not inconsistent with this Constitution and Bylaws or Robert's Rules of Order, Revised. He or she shall, at all times, encourage loyalty to the United States of America, to the Disabled American Veterans, and to the members of the Chapter. Subject to the direction of the Chapter, he or she shall act as Chairperson of the Americanism Committee of the Chapter. With the approval of the Chapter, the Junior Vice Commander may appoint one or more members to assist him or her in such activities.

Section 2.d. The Treasurer shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officers Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. The Treasurer shall receive and immediately deposit all Chapter funds in a bank account in the name of the Chapter without any deductions or offsets. He or she shall make authorized disbursements only by checks or vouchers signed by the Treasurer and countersigned by the Commander or another elected or **appointed** officer authorized to do so in writing. Credit card purchases must be authorized by Treasurer and Commander/Designated Officer. He or she shall keep a system of accounts approved by the Chapter and shall preserve all receipts and checks or vouchers for payments made. He or she shall render a monthly report of receipts and expenditures to the Chapter not later than the first regular Chapter meeting following the last day of each calendar month. This report shall be prepared for review by the Executive Committee at their scheduled monthly meeting following the last day of the previous calendar month. An annual financial report, audited and approved by the Chapter Audit Committee, shall be submitted to the State Department and National Organization within ninety (90) days after the close of the accounting year of the Chapter, June 30th, as required by National Bylaws

Section 2.e. The Judge Advocate shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. The Judge Advocate, upon the request of the Commander of the Chapter, shall render an opinion upon all parliamentary questions, upon any question arising out of any dispute upon the floor of the assembly, or concerning the interpretation of this Constitution and Bylaws, or the Constitution or Bylaws of the National or Department organizations. Upon receipt of his or her opinion, the Commander or presiding official shall announce his or her ruling or decision, which shall be final and binding upon the Chapter unless; (1) overruled by a two-thirds vote of the members at the meeting during which the decision is announced, or (2) reversed upon an appeal taken to the next higher governing body within thirty (30) days after such decision is made.

Section 2 f. The Chaplain shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and other such

duties as may be lawfully delegated to him by the Chapter. He or she shall visit the sick and comfort the families of those members who pass away. He or she shall be responsible for encouraging attendance at DAV conducted funerals and the proper conduct thereof. Subject to the direction of the Chapter, he or she shall act as Hospital Visitation Chairman and, with the approval of the Chapter, may appoint one or more members to assist him or her.

Section 2.g. Chapter elected officers are required to attend all Chapter General Membership meetings and other meetings as specified in these Bylaws or requested by the Commander. Appointed officers are highly encouraged to attend all meetings and functions of the Chapter.

Section 2.h. Any Chapter elected officer may be recalled from office by a "Motion of No Confidence" resulting in a two-thirds affirmative vote of Chapter members present and voting at a Chapter General Membership meeting. Only one elected officer may be removed at a time with this method. If the motion passes, the elected officer is immediately dismissed from his or her office and must surrender any and all documents, keys, passwords, and other property of the Chapter to the Chapter Adjutant. If the motion fails, no further action is required. Only one "Motion of No Confidence" per officer per Chapter Membership meeting is allowed. The Chapter Membership may choose to hold an election to fill any vacancies created by the use of this method.

SECTION 3. APPOINTED OFFICERS

Section 3.a. The Commander, with the approval of the Chapter, shall appoint other officers as may be necessary to operate the Chapter including, but not limited to, one (1) Adjutant; one (1) Senior Service Officer; one (1) Historian, and one or more Service Officers. All appointed service officers must receive certification training conducted by the National Service Officer prior to serving the Chapter.

Section 3.a.1. The Adjutant shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. The Adjutant shall keep true and accurate records of all business conducted by the Chapter, inclusive of the General Membership, Executive Committee, and any closed Chapter meetings. He or she must keep all copies of both incoming and outgoing correspondence, in conjunction with National headquarters and an up-to-date listing of all members in good standing, inclusive of all members in arrears, for whatever reason. Collect all dues and membership monies and remit these funds to the Chapter Treasurer. The duties of the Adjutant shall generally correspond with those of an Executive Secretary of any corporation. The Adjutant shall work such hours as he or she and the Commander deem necessary to accomplish the mission. All records maintained by the Adjutant shall be open for inspection during normal working hours, to any member in good standing, upon submission of a written request to the Commander.

Section 3.a.2. The Adjutant is responsible for keeping the Chapter's records and conducting the Chapter's official correspondence. He or she must keep detailed records of all the Chapter's meetings and business affairs. All motions considered by the Chapter should be recorded along with the names of the members who make, second, or speak on motions. The Adjutant is

responsible for the membership records and should make certain they are kept up to date.

Section 3.a.3. At each General Membership meeting, the Adjutant will read the minutes of the preceding meeting and make sure that a motion of approval or rejection is conducted.

Section 3.a.4 At each Chapter General Membership meeting, the Adjutant will read all correspondence received since the last General Membership meeting and see that all matters which require action by the Chapter are properly acted on. He or she should answer all correspondence promptly and file copies of his or her responses within the Chapter records.

Section 3.a.5 The Adjutant shall work closely with the Commander, Treasurer, and other Chapter officers in order to efficiently carry out the duties of his or her office.

Section 3.b. The Historian shall perform the duties of his or her station as set forth in the Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. The Historian shall keep a brief history of the activities of the Chapter during his or her term of office, to be kept as a permanent record of the Chapter. He or she shall also act as Publicity Officer of the Chapter and regularly furnish proper publicity materials to local newspapers, radio stations, and television outlets, as well as official DAV National and Departmental publications, with the approval of the Commander and the Executive Committee. No other member shall cause any publicity to be given to any Chapter activity or concerning the Chapter without the approval of the Chapter.

Section 3.c The Service Officer(s) shall advise and assist all veterans, and his or her dependents, in the preparation of his or her claims for benefits from the Department of Veteran Affairs.

Section 3.d. The Officer of the Day shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to him or her by the Chapter. He or she shall welcome all visitors and see that each is properly introduced.

Section 3.e. The Sergeant at Arms shall perform the duties of his or her station as set forth in this Constitution and Bylaws, the Official DAV Ritual, the Chapter Officer's Guide, and such other duties as may be lawfully delegated to them by the Chapter.

Section 3.f. Appointed officers are highly encouraged to attend all meetings.

Section 3.g. Appointed offices are terminated effective the date of installation of the incoming Commander.

Section 3.h. Any Chapter appointed officer may be dismissed by the Chapter Commander for the good of the Chapter. If an appointed officer is dismissed from his or her office, he or she must surrender any documents, keys, passwords, and property of the Chapter immediately to the Chapter Commander. The Chapter Commander must report this action to the Chapter General Membership at the next Chapter General Membership meeting.

Section 3.i Any Chapter appointed officer may be recalled from office by a "Motion of No Confidence" resulting in a two-thirds affirmative vote of Chapter members present and voting at a Chapter General Membership meeting. Only one appointed officer may be removed at a time with this method. If the motion passes, the appointed officer is dismissed from his or her office and must surrender any documents, keys, passwords, and property of the Chapter immediately to the Chapter Commander. If the motion fails, no further action is required. Only one "Motion of No Confidence" per officer per Chapter General Membership meeting is allowed.

SECTION 4. APPOINTED BILLETS

Section 4.a. The Commander, with the approval of the Chapter, may appoint any qualified individual to occupy additional operational billets within the Chapter organization. These billets will be used to facilitate and enhance the operation of the Chapter.

Section 4.b. Some examples of these appointed billets are, but are not limited to, Volunteer Coordinator; Entertainment Chairperson; Budget Committee Chairperson; Audit Committee Chairperson; Office Manager; Fund Raising Coordinator; and Website Coordinator.

Section 4.c. Amplifying instructions and procedures for each active billet will be outlined in a Standing Operational Guidelines maintained by the billet holder. A copy of these Standing Operating Guidelines will be kept by the Commander and maintained by the Adjutant.

Section 4.d. Appointed billets are terminated effective the date of installation of the incoming Commander.

ARTICLE V- QUALIFICATIONS

Any person who is a member of the Chapter, in good standing, shall be eligible for any elected or appointed office in this Chapter. Membership of this Chapter will be governed by the National Constitution, Article III.

ARTICLE VI- TENURE OF OFFICE

Section 1. Officers of the Chapter shall be nominated during the April General Membership meeting and again immediately prior to the elections during the General Membership meeting in May of each year.

Section 2. All voting for officers shall be by written ballot, except by an unanimous vote cast by the Adjutant when there is only one nomination, and no competition, for an elected position.

Section 3. Elected officers shall be installed within thirty (30) days of his or her election. He or she shall serve for one year or until a newly elected officer has been installed in his or her position. An assumed term, i.e. a partial year term, is not to count as a "one-year term."

Section 4.a. The Chapter may direct that notice be sent to any elected or appointed officer who has failed to attend three (3) consecutive General Membership meetings of the Chapter or who, in the opinion of the Chapter, does not appear to be fulfilling the duties of his or her office, stating that at the next regular General Membership meeting (giving time and date) the matter of his or her recall from office will be considered. At the General Membership meeting set forth in such notice, the Chapter, by a vote of two-thirds of those present and voting, may declare such office vacant and such officer recalled. If an elected officer, his or her office shall be filled by nomination and election at the same General Membership meeting. If an appointed office, the Commander shall appoint another member to fill such vacancy, with the approval of the Chapter.

Section 4.b. In the event the Office of the Commander is vacated for any reason, the Senior Vice Commander shall be elevated to Commander, Junior Vice Commander to Senior Vice Commander. Any other vacancy of an elective office, nominations, and election to fill such vacancy may be made at the next General Membership meeting.

Section 5. It shall require a majority vote of those members present and voting to elect a candidate for any Chapter office. It shall also require a majority of votes cast to elect delegates or alternates to a Department or National Convention. However, if there are less delegates and alternates than the number to which the Chapter is entitled then all such candidates nominated for delegate or alternate shall be declared elected.

ARTICLE VII- MEMBERSHIP

Section 1. No new applicant shall be denied Chapter membership if he or she meets the eligibility requirements as set forth in the National Constitution and Bylaws.

Section 2. The Chapter Adjutant shall accept applications for transfer into the Chapter with the approval of the Chapter General Membership.

Section 3. Applicants for transfers in should be encouraged by his or her sponsor to attend the next scheduled General Membership meeting for a vote of approval and swearing in all new members who have not taken his or her Oath of Obligation.

Section 4. Only members of the Chapter in good standing are eligible to vote on any motion or at any election.

ARTICLE VIII-FINANCES

Section 1. The Treasurer shall deposit all money in the name of the Chapter and shall countersign with the Commander or one other designated Chapter Officer on all checks. Authorized personnel must be listed on the financial institution signature card that will be updated as needed. There shall be no "pre-signed" Chapter checks for convenience purposes or otherwise. Signatures must be added only after the payee, date, and amount of the check have been completed.

Section 2. The Treasurer shall be charged with handling normal financial operations of the

Chapter.

Section 2.a. Prior to installation, a Budget meeting will be held for all outgoing and incoming officers, appointed committee Chairpersons and the Treasurer. The Budget Committee Chairperson will be selected by the Budget Committee and be approved by the incoming and outgoing Commander.

Section 2.b. The Commander will appoint a Mid-year Budget Review Committee in December to adjust the budget as may be needed and the Chairperson shall be elected from within.

Section 3. Membership dues shall be as provided in the National Bylaws.

Section 4. As per National Bylaws, Article 18, Section 2. This Chapter will not accumulate in the reserves three times the expenditures of the previous fiscal year.

ARTICLE IX- MEETINGS

Section 1. Havelock Chapter 26 shall hold regularly scheduled monthly General Membership meetings, with times, dates, and location determined by a majority vote of the Chapter.

Section 2. The Chapter will hold at least four (4) regular meetings with a quorum present within a membership year.

Section 3. Special General Membership meetings of the Chapter may be called by the Commander whenever the Commander may deem it necessary, when passed on by the Executive Committee, or when requested in writing to do so by at least ten (10) Chapter members in good standing. The agenda of any such special meeting shall specifically state the purpose for which it is called. No other business, not specified to the agenda, shall be transacted at the Special General Membership meeting.

Section 4. The order of business at any regular Chapter General Membership meeting shall be as prescribed in the Official DAV Ritual and as dictated by the needs of the Chapter.

Section 5. General rules of Chapter meetings shall be as follows:

RULE 1: A quorum shall consist of seven (7) members in good standing including at least two (2) line officers.

RULE 2: The most current edition of Roberts Rules of Order, Revised, shall guide the Chapter in all cases to which they are applicable and 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 heard on the floor unless introduced by the Grievance Committee or other Committees having the authority to consider any such matters.

RULE 4. Matters concerning an individual member, with respect to his or her own personal interest, shall not be heard, but may be taken before the proper Committee.

RULE 5. Voting shall be by a show of hands unless otherwise requested by a majority of the members present, or otherwise directed by the Commander.

RULE 6. Members may participate virtually to have a voice and vote during regular Chapter Monthly meetings of General membership business to include voting on motions.

RULE 7. Voting during the election of Chapter Officers is limited to in-person participation and will not permit members participating virtually to cast votes, but they may observe. There shall be no form of voting by proxy or by absentee ballot. Members who experience difficulty, or who are unable to connect virtually, for whatever reason, will not have any recourse to challenge prior decisions made during Chapter meetings.

Section 6. The Chapter will be responsible for purchasing any equipment necessary to facilitate virtual participation by members at the Chapter meetings and shall not purchase equipment, services, and subscriptions for individual members' use. The Chapter will use the platform of "Zoom®" to facilitate the virtual meetings for member participation.

ARTICLE X- COMMITTEES

Section 1. All Chapter Committees will meet at the request of the Chairperson or Commander, or as otherwise deemed necessary.

Section 2. Committees shall consist of not less than three (3) members including the Chairperson.

Section 3. Committees shall be appointed by the Commander, with the approval of the Chapter, with the exception of the Nominating and Executive Committees which shall be elected by the Chapter. The Commander will issue a signed letter of appointment to the Committee Chairpersons upon his or her initial installation.

Section 4.a. The Chapter shall have an Audit Committee composed of at least three (3) members of the Chapter, excluding the Commander, Senior Vice Commander, Treasurer, Adjutant, Finance Committee Chairperson, and any other individual who countersigns checks. The Audit Committee shall conduct an annual audit prior to installation of new officers (in accordance with the requirement of the National Bylaws) submit a report of this audit to the Executive Committee. All Chapter offices will be accountable for his or her respective budget concerns. In addition, one member of the Audit Committee, designated by the Chairperson, shall conduct the monthly reconciliation of the Chapter bank accounts. This is dictated by the insurance company providing our financial bond coverage.

Section 4.b. Although the Treasurer is not to be a member of the Audit Committee, he or she

should be present during the meeting of this committee to provide his or her expertise and information as needed.

Section 5. The Chapter Commander will appoint a separate three (3) member grievance Committee to hear and recommend to the Executive Committee courses of action for member complaints. One of these three members will be designated as the Grievance Committee Chairperson. No elected or appointed officers shall be assigned as members of this committee.

Section 5.a. After a complaint is brought in writing to the Grievance Committee stating the full scale of the complaint, the Grievance Committee Chairperson will indicate a course of investigative action for resolution. All attempts should be made to resolve a complaint within the Grievance Committee.

Section 5.b. If a satisfactory resolution of the complaint cannot be made, the Grievance Committee Chairperson will bring the complaint(s) listing his or her complaints before the Executive Committee for final resolution.

Section 6. The Chapter shall have a Welfare Committee whose duty is to keep informed as to public and private agencies and organizations which can offer temporary or permanent assistance to disabled veterans or their dependants and to assist such persons in securing proper adequate aid and assistance. The Welfare Committee may make emergency grants in any individual case of not more than \$400.00 if within the amount budgeted by the Chapter for such purposes without prior Chapter approval. Requests for amounts exceeding this limit or exceeding budgeted amounts must be submitted to the Chapter at the next scheduled General Membership Meeting for resolution.

ARTICLE XI- RESTRICTIONS AND MISCELLANEOUS

Section 1.a. These Bylaws may be amended at any Chapter meeting by a vote of two-thirds (2/3) majority of those Chapter members present in good standing, subject to the approval of Department and the 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.

Section 1.b. The original signed copy of this Constitution and Bylaws shall be maintained in a secure location to prevent loss, damage or other misfortunes. A copy of this Constitution and Bylaws will be maintained by the Adjutant and it will be available for all members to view as requested.

Section 1.c. Any member of Havelock Chapter 26, in good standing, may request a complete copy of this Constitution and Bylaws from the Chapter Adjutant.

Section 1. d. To the extent to which any of the provisions of this Constitution and Bylaws are, or may at any time become inconsistent or in conflict with the provisions of the Constitution and Bylaws and lawful mandates, decisions, and regulations of either the Department of North Carolina or National Organization, as now in force or as hereafter amended or adopted this

instrument shall be deemed amended as to conform.

Section 2. There shall be no voting by proxy or by absentee ballot. Only members in good standing and present shall be entitled to vote on any question or at any election. The presiding officer shall be entitled to vote in case of a tie or where the voting is by written ballot.

Section 3. Each member accepting or retaining membership in the Chapter agrees to be bound by this Constitution and Bylaws, the DAV National, and Department Constitution and Bylaws, now in force or hereafter adopted or amended

Section 4. All disciplinary actions shall be conducted in accordance with Article 16 of the National Bylaws and applicable regulations of the National Executive Committee.

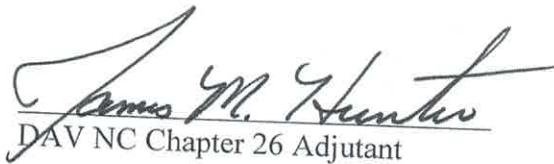
Section 5. Except as otherwise expressly provided in the National Bylaws, the Chapter shall not sponsor or engage in, directly or indirectly, any fund-raising project without the prior approval of the Department of North Carolina. All fund-raising activities will be conducted in accordance with Article 15 of the National Bylaws and the Regulations of the National Executive Committee.

Section 6. The name of this Chapter or of the Disabled American Veterans must not be used in connection with any political, sectarian, labor dispute, or in any matter not directly related to wartime service-disabled veterans. Nor shall the Chapter enter into or engage in any such activities. However, nothing in this paragraph shall prohibit the Chapter from participating in political issues that have a direct bearing upon the welfare of America's disabled veterans, providing such political views are not contrary to the Department and/or National political view.

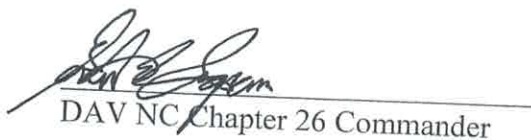
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The first reading of the Bylaws and Constitution occurred on the 19th day of October 2022.

The second reading and adoption of the Bylaws and Constitution occurred on the 16th day of November 2022.

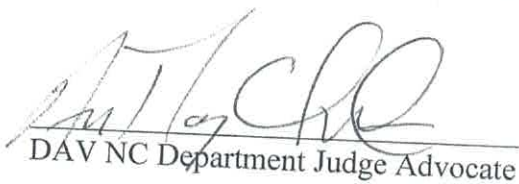

DAV NC Chapter 26 Adjutant

11/16/2022
Date


DAV NC Chapter 26 Commander

11/16/2022
Date

I certify that the written Constitution and Bylaws does not conflict with those of the Department of North Carolina and to that extent, are approved.


DAV NC Department Judge Advocate

12/26/2022
Date

I CERTIFY that the written Constitution and/or Bylaws do not conflict with those of the National Organization and to that extent are approved.


DAV National Judge Advocate

7/18/23
Date

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: 7/18/23
DAV National Judge Advocate