



**Fall Conference  
2<sup>nd</sup> DEC Meeting  
October 2022**

**Minutes  
90<sup>th</sup> Annual Convention  
First Reading of  
Department Bylaws**

**Convention Business Script  
90<sup>th</sup> Annual Convention  
6/18/2022**

**Commander Bailey: Call to order. I will call to order the business session.**

**Time 9:00 a.m.**

**CHAPLAIN COKER-BELL – INNOVATION: Please pray with me. Eternal God, please be very open-minded to us and bless us. Cause your face to shine upon us and make your way known upon the earth in your saving strength among all people. Let us the people be glad and sing with joy for evil, unjust and righteously and govern the nations upon the earth. Especially now we pray that we may have your guidance that we may firmly uphold the very principles of this organization. Amen**

**Sr. Vice Commander Mitchell:**

**Oath of Allegiance**

**Adjutant Cox: I make a motion that we dispense with the normal order of business so we can have our first reading of the proposed bylaw changes.**

**Motion PDC Perkins                      Second    PDC Aberegg  
Motion Passed**

**Commander Bailey: Adjutant Cox, will you do a roll call.**

**Adjutant Cox: Roll Call**

<u>Department Elected Officers:</u>	Present
Commander Bailey	X
Sr. Vice Commander Mitchell	X
1st Jr. Vice Commander Raborn	X
2nd Jr. Vice Commander King	X
Judge Advocate Combs	X
Chaplain Coker-Bell	X
Immed. Past Commander Simmons	X

  

<u>Department Appointed Officers:</u>	
Adjutant Cox	X
Treasurer Cox:	X
Inspector Cottrill	X
Officer of the Day Early	X
Sergeant at Arms Giles	X

  

<u>Past Department Commanders:</u>	
PDC Lisa Gregory	X
PDC Denice Williams	X
PDC James Proconier	X

PDC John King	X
PDC Cynthia Madison	X
PDC Rita Aberegg	X
PDC Steve Perkins	X
PDC Robert Cox	X

Chapter DEC

Chapter 2, Irby Cotton II	X
Chapter 3, Perry Taylor	X
Chapter 5, Murphy Coleman	X
Chapter 6, Newth Smith	X
Chapter 7, Shawn Ware	X
Chapter 10, Tom Wendel	X
Chapter 13, Timothy Valentine	X
Chapter 15, Grailing Carter	X
Chapter 17, William Hill	X
Chapter 19, Maynard Dodd	X
Chapter 20, Dwayne Ramey	X
Chapter 21, Shelly Mathis	X
Chapter 22, James R. Smith	X
Chapter 27, Cynthia Madison	X
Chapter 28, Michael Bagley	X
Chapter 30, Wayne Godby	X
Chapter 33, Lee Everton	X
Chapter 34, Charles Morris	X
Chapter 47, Robert McPhaul	X
Chapter 48, Julie Hoyte	X
Chapter 58, Mack McCallon	X
Chapter 60, David Cuff	X
Chapter 61, Robert Schofield	X

Adjutant Cox: Comrade Commander, we have a quorum.

Commander Bailey: Chairman Simmons will you come forward and present the first reading of proposed bylaw changes.

Chairman Simmons: I'm presenting the first reading of the proposed bylaw changes. There will be no comments or questions during the first reading. Any comments, questions, or clarification will take place during the second reading.

**PROPOSED AMENDMENTS TO THE DAV DEPARTMENT OF VIRGINIA BYLAWS  
PROPOSAL 1:**

(CHANGE): Adjutant to "Adjutant and Executive Officer" wherever occurring in the Department Bylaws.

**PROPOSAL 2:**

**ARTICLE II OFFICERS**

## **SECTION 2-2 DUTIES OF ELECTED OFFICERS**

### **Para 5: THE JUDGE ADVOCATE**

**(CHANGE) Para 5.2 to read:** The Judge Advocate shall review and approve all new or amended Chapter Constitution and Bylaws within the Department of Virginia, ensuring consistency with the Constitution and Bylaws of the Department and National Organization, and NEC Regulations.

**Para 5.2.1:** A Chapter shall submit THREE copies of the Constitution and Bylaws, and ONE copy of the meeting minutes when the changes were first read, and ONE copy of the meeting minutes documenting the second reading and vote for approval. The minutes must reflect that a quorum was present.

**Para 5.2.2:** The Judge Advocate shall endorse the Chapter Constitution and Bylaws (approve, disapprove or recommend changes) in a cover letter and forward to the DAV National Judge Advocate for final approval. ONE copy of the Constitution and Bylaws and the cover letter shall be retained by the Judge Advocate.

**Para 5.2.3:** The Judge Advocate shall, as soon as possible, review, endorse and submit the official new, or changes to, a Chapter Constitution and Bylaws.

**Para 5.2.4:** A Chapter shall amend the Constitution and Bylaws as necessary to ensure the information contained therein is kept current. A bi-annual review is encouraged.

**Para 5.2.5:** Constitution and Bylaws development guidance is available on the Department of Virginia website. Further, the Judge Advocate will provide guidance to a Chapter during the development of the Constitution and Bylaws, to include a preliminary unofficial review before the official submission. Any such request must be made prior to presenting the document to the Chapter body for review. Once the Chapter body reviews and votes on the document, an informal review is not available. Contact the Judge Advocate for help, as needed.

### **PROPOSAL 3**

## **SECTION 2-6 DUTIES OF THE DEPARTMENT ADMINISTRATIVE ASSISTANT**

**(CHANGE): Administrative Assistance to “Office Manager” wherever occurring in the Bylaws.**

**(CHANGE) Para 1 to read:** “The Department Office Manager shall be a compensated employee of the Department of Virginia, and work a minimum of 25 hours per week.”

### **PROPOSAL 4**

## **ARTICLE IV COMMITTEES**

## **SECTION 4-4: DUTIES OF STANDING COMMITTEES**

### **Para 4: EMERGENCY RELIEF COMMITTEE**

**(CHANGE) Para 4-1** to read: "The goal of the Emergency Relief Committee is to assist eligible veterans, their dependents and survivors who are confronted with emergency situations. A dependent is defined as:

**Para 4.1.1:** Spouse - A person legally married to the veteran. (Common law marriages are not recognized in the Commonwealth of Virginia.)

**Para 4.1.2:** Child – Biological, legally adopted or under the court ordered guardianship of the veteran and under 18 years of age, unless a full-time student under the age of 23, or permanently disabled prior to attaining 18 years of age.

**Para 4.1.3:** Parent - The veteran is directly caring for and the parent's income and net worth are below a specified amount, per the Department of Veterans Affairs regulations.

**Para 4.1.4:** Survivor - A legal dependent, as described above, at the time of the veteran's death.

## **PROPOSAL 5**

### **Para 6: FINANCE COMMITTEE**

**(CHANGE) Para 6.8** by **deleting the first sentence**, "One member of the Finance Committee, other than the Chairperson or Treasurer, shall be designated to serve on the Department Audit Committee." (This is a duplicate of the last sentence in the paragraph.)

## **PROPOSAL 6**

**(RENUMBER) ARTICLE VII as ARTICLE VIII and Sections 7-1 thru 7-4 as Sections 8-1 thru 8-4.**

## **PROPOSAL 7**

**(ADD)**

## **ARTICLE (VII) CHAPTERS**

### **SECTION 7-1: JURISDICTION**

**Para 1:** Chapters within the Commonwealth of Virginia are under the jurisdiction of the DAV Department of Virginia. The Department is responsible for the enforcement of the Chapter, Department, and National Constitutions, Bylaws and NEC Regulations. (Reference: DAV NEC Regulation 8) The Department is responsible for ensuring the safeguard of DAV assets and resources, and may conduct aperiodic audits of Chapter financial and operational activities.

**Para 2:** Department of Virginia Chapters shall follow the rules provided by the DAV National Constitution & Bylaws and NEC Regulations, and the DAV Department of Virginia Constitution and Bylaws, as provided herein. (Reference DAV National C&B Article 9 and NEC Regulation 8)

## **SECTION 7-2: ANNUAL FINANCIAL REPORT (AFR)**

**Para 1:** A Chapter with annual income of more than \$25,000 shall submit an AFR to the DAV National and DAV Department of Virginia.

**Para 2:** A Chapter with annual income of less than \$25,000 shall submit an AFR to the DAV Department of Virginia ONLY.

**Para 3:** All chapters shall use the standard DAV National AFR form and follow the guidance for developing the AFR. The Annual Financial Reporting Kit is available on the DAV National website.

**Para 4:** The AFR is due to DAV National and/or DAV Department of Virginia no later than 30 September.

**Para 5:** The DAV Department of Virginia Audit Committee shall review the Chapter AFR's, and as necessary recommend appropriate action.

## **Section 7-3: FEDERAL INCOME TAX**

All Chapters shall file a Federal Income Tax return, annually, no later than 15 November, using the appropriate IRS Form 990, Form 990EZ, or Form 990N. Check the current IRS regulation to determine which form is appropriate for your Chapter.

## **Section 7-4: DAV AUXILIARY UNITS**

**Para 1:** The Disabled American Veterans Auxiliary (DAVA) organization is recognized as an Auxiliary unit of the DAV, subject to DAV supervision and recommendations.

**Para 2:** The DAVA Units obtain funding for projects from membership dues and fundraising. DAV Chapters may NOT directly fund DAVA Unit activities. DAV Chapters, however, may make a lump sum donation to the DAVA Unit. The donation shall be used ONLY for service. The Unit shall advise the host Chapter as to how the funds were expended.

**Para 3:** The DAVA Units shall submit requests for fund raising activities via the host DAV Chapter Commander to the DAV Department of Virginia Senior Vice Commander. The host Chapter Commander shall, as soon as possible, endorse the request (positive or negative) and forward to the Department Senior Vice-Commander for a final decision.

**Commander Bailey:** Thank you Chairman Simmons. The second reading of the proposed bylaw changes will be tomorrow morning. Any comments, questions, or clarification will take place during the second reading.

**Commander Bailey:** We will recess and reconvene tomorrow morning at 9:00 a.m.

**Commander Bailey:** Salute to the flag.