

BYLAWS  
FAYETTEVILLE CHAPTER  
82<sup>ND</sup> AIRBORNE DIVISION ASSOCIATION, INC.

Revised 11 February 2014

**ARTICLE I - NAME**

The name of the Chapter is the Fayetteville Chapter Incorporated, (hereinafter referred to as the "Chapter") 82<sup>nd</sup> Airborne Division Association Incorporated (hereinafter referred to as "the Association"). It is located in the city of Fayetteville, county of Cumberland, and state of North Carolina.

**ARTICLE II - AIMS**

The aims of this chapter are to:

- A. Develop the common bond existing among all troopers who served with the 82<sup>nd</sup> Airborne Division or any other airborne unit.
- B. Perpetuate the memory of the members of the Fayetteville Chapter, 82<sup>nd</sup> Airborne Division Association who served their country.
- C. Encourage the Airborne aspect of national defense.

**ARTICLE III - MEMBERSHIP**

**SECTION 1 - CLASSES AND QUALIFICATIONS:**

Membership in the Chapter consists of six classes as follows: Life Members, Charter Members, Regular Members, All American Member (Paid for Life), Associate Members, and Honorary Members. Qualifications for each class of membership are as stated in the Association Bylaws and are applicable to this Chapter with one exception. This exception pertains to Honorary Members. Any person may be elected an Honorary Member by majority vote of the Executive Committee. Any Chapter member may propose a candidate for Honorary Membership by personal recommendation to the Executive Committee outlining the qualifications of the candidate. Any Honorary Membership may be withdrawn by a majority vote of the Executive Committee at any committee meeting. Active Duty members of the 82<sup>nd</sup> Airborne Division who are members of a military chapter may join the Fayetteville Chapter as Regular Members upon payment of fees as shall be designated from time to time by the Chapter.

## SECTION 2- VOTING PRIVILEGES

All members of the Chapter, except Honorary, are entitled to one vote, in person, on each matter submitted to the membership, except that any Chapter member holding membership in any other organization or business concern may not vote in concert on matters effecting such other organization or concern. Furthermore, a two-thirds vote of those present and voting, is required to adopt any motion, which would tend to benefit any other organization or business concern.

## ARTICLE IV - OFFICERS

### SECTION 1 - TITLES

The officers are a Chairman, Vice-Chairman, a Secretary, a Treasurer, a Sergeant-at-Arms, five Trustees, and the immediate Past Chairman. The appointed Club Custodian, if he or she is a member of the Fayetteville Chapter.

### SECTION 2 - NOMINATIONS AND ELECTIONS:

A. At the regular meeting normally held the second Tuesday in July, a Nominating Committee of three will be appointed by the Chairman. A slate of candidates (at least one for each office) will be furnished to the general membership at the September General Membership Meeting. Any member seeking the office of Chairman, Vice Chairman, Secretary or Treasurer must have served at least two (2) or more years as a officer of the Fayetteville Chapter, 82<sup>nd</sup> Airborne Division Association. The elections will be held during the General Membership Meeting conducted in October. Before the election, the meeting will be open to nominations from the floor. A member must be present at the meeting in order to be eligible for nomination from the floor.

B. If there is only one candidate for any office the Chairman will declare him / her elected, and no ballot will be distributed or counted. If there are two or more candidates for any office election will be by ballot. The candidate(s) for any (office(s)) who receives the largest number of votes will be elected to respective office(s).

C. Members nominated by the committee must be present at the election in order to be elected with the following exceptions:

(1) Nominee contacts the Chairman not later than 48 hours prior to the election meeting expressing his desire to still be a candidate for the office nominated and the reason why presence will be prohibited. The Executive Committee will determine validity of requested absence.

(2) If nominee is unavoidably detained from attending the meeting due to an emergency/unforeseen circumstances. Nominee must contact the Chairman within 48 hours after the election meeting giving reasons for absence. The Executive Committee will determine validity of absence.

(3) In the event the above occurs, the election will be conducted as if nominee is present. If the absent nominee receives the largest number of votes, the ballots will be retained. If the Executive Committee determines that the absence is valid, then the nominee will be declared the elected officer. This will be accomplished not later than the adjournment of the next Executive Committee meeting, after which the ballots may be destroyed. All involved members will be notified of the results by the Chairman.

D. Distribution, in any form, of names of any candidates) to any eligible voting member is prohibited in the voting area, effective two (2) hours prior to start of the meeting when elections will be held. This area includes the clubhouse, or any other building that may be used for this particular meeting, and the surrounding property associated with said building. Violations of this could render the candidate(s) ineligible for election.

E. In the event violations to the above occur, the Executive Committee will meet and determine what action(s) are to be taken. At the Chairman's discretion, this may require a closed meeting. In any event, the matter will be resolved prior to the final adjournment of the meeting when the violation(s) occurred.

#### SECTION 3 - TERM OF OFFICE:

Each successful candidate assumes office on the first day of January each year, and serves for one year or until their successor assumes office.

#### SECTION 4 - PROHIBITIONS:

A. All members, except Honorary may hold office in the Chapter if they are members in good standing must meet requirements in ARTICLE IV, Section 2

B. Any Active Duty member who is also a member of the Chapter may hold office with the exception of Chairman, Secretary, or Treasurer.

#### SECTION 5 - REMOVAL:

Any officer or agent elected or appointed may be removed by the" majority of the members present at a regular meeting when, in their judgment, the best interests of the Chapter would be served thereby.

#### Section 6 - Vacancies:

Any vacancy will be filled for its unexpired term by the members present at a regular meeting, voting by ballot.

#### SECTION 7 - CHAIRMAN:

The Chairman is the principal executive officer of the Chapter and shall supervise and control all the business and affairs of the Chapter. The Chairman is subject to orders of the Chapter and none of the Chairman's acts will conflict with actions taken by the Chapter. The Chairman is charged with the responsibility of performing liaison between the Chapter and the Association and is empowered to represent the Chapter before the Association.

#### SECTION 8 - VICE CHAIRMAN:

In the absence of the Chairman, or in the event of the Chairman's refusal to act, the Vice Chairman shall perform the duties of the Chairman. The Vice Chairman is responsible for membership, activities, and entertainment.

#### SECTION 9 - SECRETARY:

The Secretary shall be responsible for and keep minutes of all meetings of the Chapter and

the Executive Committee. The Secretary is custodian of the Chapter Charter, all Chapter records and the Corporate Seal. The Secretary shall maintain a continuity file (Bylaws [National, Chapter, and Educational Fund], Convention SOP, Awards SOP, Communications and Public Relations SOP, Appendix F Educational Fund, bulletins National / Chapter), minutes of meetings, annual events / activities after action reports, etc.

**SECTION 10 - TREASURER:**

The Treasurer shall have charge of and be responsible for all funds and securities of the Chapter; receive and give receipts for monies due and payable to the Chapter, and deposit all such monies in the name of the Chapter in such banks or other depositories as shall be designated from time to time by the Executive Committee. The Treasurer shall pay all bills or obligations of the Chapter under \$1,000.00 upon approval by the Chairman and the Executive Committee. The writing of checks in excess of \$1,000.00 must be signed by the Treasurer and one other officer designated by the Executive Committee, provided such expenditures have been approved by the general membership at any regular meeting. The Treasurer will submit an annual financial report for audit at the end of each year.

**SECTION 11 - SERGEANT-AT-ARMS:**

The Sergeant-at-Arms assists in preserving order as the chair may direct. The Sergeant-at-Arms verifies voters' eligibility at elections and performs such other duties as may be directed by the Chairman.

**SECTION 12 - TRUSTEES:**

The Trustees are responsible for the annual audit of the financial report and will perform such other duties as may be directed by the Chairman.

**SECTION 13 - JUDGE ADVOCATE:**

The immediate Past Chairman acts as the Judge Advocate. The Judge Advocate is charged with interpreting the Bylaws and advising the Chairman on parliamentary procedures. He is responsible for having present at the meeting a Copy of the current edition of Roberts Rules of Order Newly Revised.

**SECTION 14 - SERVICE OFFICER:**

The appointed Service Officer is responsible for administering to the welfare of all members of the Chapter and their dependents. In cases beyond the Service Officers capability, the Service Officer shall request the assistance of the Executive Committee.

**SECTION 15 - CLUB CUSTODIAN:**

The appointed Club Custodian is responsible for clubhouse operations to include security, cleaning, maintenance, funds, inventory, property, and such other duties as may be directed by the Executive Committee.

## **ARTICLE V - MEETINGS**

### **SECTION 1-MEMBERS:**

A. The Chapter meets on the second Tuesday of each month unless otherwise ordered by the Chapter or the Executive Committee.

### **SECTION 2 - EXECUTIVE COMMITTEE:**

The Executive Committee meets on the first Tuesday of each month. However, it may also meet at the request of the Chairman or any four members of the Committee.

### **SECTION 3 - ELECTIONS:**

The election of officers will be held at the regular meeting on the second Tuesday in October.

### **SECTION 4 - QUORUM:**

A simple majority of the elected Officers of the Executive Committee and any voting member or members of the Fayetteville Chapter constitute a quorum for the meetings of the members.

## **ARTICLE VI - EXECUTIVE COMMITTEE**

### **SECTION 1 - COMPOSITION:**

The Executive Committee consists of the elected officers, the immediate Past Chairman, and the appointed Club Custodian, if he or she is a member of the Fayetteville Chapter.

### **SECTION 2 - DUTIES:**

The Executive Committee has the responsibility for general supervision of the affairs of the Chapter between its meetings, makes recommendations to the Chapter and performs such other duties as are specified in these Bylaws. The Committee is subject to the orders of the Chapter, and none of its acts will conflict with actions taken by the Chapter.

### **SECTION 3 - EXPENDITURES:**

The Executive Committee is authorized to spend \$500.00 per month in furtherance of Chapter activities without further Chapter approval. However, it is expressly prohibited to enter into time payment contracts of any type without the consent of the Chapter members at a regular meeting.

### **SECTION 4 - QUORUM:**

At Executive Committee meetings, four committee members constitute a quorum.

## **ARTICLE VII - PRIVATE CLUB**

Special Requirements and general rules affecting private clubs as specified in Alcoholic Beverage Control Laws and Rules of North Carolina are attached as Enclosure 1.

**ARTICLE VIII - COMPENSATION**

No part of the Chapter's net earnings, if any, shall inure to the benefit of any of the Chapter's officers, members, or any other private individual except for payment of reasonable compensation for services rendered or as payment of expense incurred in carrying out the Chapter's exempt purpose.

**ARTICLE IX - DISSOLUTION**

In the event the Chapter ceases to function or is dissolved, all property, revenue, and records are to be turned over to the Executive Secretary of the 82<sup>nd</sup> Airborne Division Association, Inc. Under no circumstances would any of the Chapter's assets be turned over to its members or any private individual upon dissolution.

**ARTICLE X - PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Roberts Rules of Order Newly Revised will govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and those of the Association.

**ARTICLE XI - AMENDMENT OF BYLAWS**

These Bylaws can be amended or repealed and new Bylaws adopted at any meeting of the Executive Committee by a two-thirds vote, provided, such action is ratified by a two-thirds vote of the Chapter's members at any regular meeting and provided they are not in conflict with the Alcoholic Beverage Control Laws and Rules of North Carolina.

Dan Reilly  
Chapter Chairman

Randolph J. Glancy  
Chapter Vice Chairman

**Enclosure 1 to ARTICLE VII - PRIVATE CLUB**

Special Requirement and General Rules Affecting Private Clubs as Specified in Alcoholic Beverage Control Laws and Rules of North Carolina.

**A. Purpose:**

The Fayetteville Chapter, Inc. 82<sup>nd</sup> Airborne Division Association, Inc., Clubhouse located at 606 Johnson Street, Fayetteville, North Carolina, is a private facility organized and operated for social purposes. Use of this facility shall be limited to members and their guests.

**B. Membership:**

1. Application for membership shall be made in writing, utilizing a membership application form, accompanied by annual dues. These applications shall be given to the Membership Committee for approval and no membership shall be granted sooner than three days from date of application. After approval, printed evidence shall be awarded and must be in the possession of the member while on the licensed premises.

2. The Membership Committee, appointed by the Chairman, shall consist of a Committee Chairman and two additional members.

3. At no time shall membership exceed 1500.

**C. Dues:**

1. The annual dues required for membership shall be such amount as shall from time to time be fixed by the Chapter.

2. Current annual dues for Charter, Regular, and Associate members shall be the basic dues as established by the Association plus an additional fee as established by the Chapter. The Association determines the amount to be forwarded to the Executive Director with application.

3. Honorary members will pay annual dues as established by the Chapter. The Chapter will retain said dues.

4. Active duty members of the 82<sup>nd</sup> Airborne Division who are members of a military chapter and join the Fayetteville Chapter as regular members will pay annual dues as established by the Chapter. The Chapter will retain said dues.

**D. Responsibilities:**

1. The Executive Committee is responsible for the overall supervision and control of club operations.

2. The Club Manager is responsible for hiring and firing of employees and maintaining law and order. The Club Manager shall insure that all members, employees, and guests, adhere to the rules and regulations of the Chapter and the Alcoholic Beverage Control Laws and Rules of North Carolina. The Club Manager shall also maintain in public view all required licenses, permits and club rules and have available at any time for inspection, any

documents required by certified inspectors or law enforcement officers.

**Enclosure 1 to ARTICLE VII - PRIVATE CLUB**

3. The Treasurer shall be responsible for all financial and administrative requirements outlined by the Alcoholic Beverage Control Laws and Rules of North Carolina.

4. Members and Guests:

a. Immediately upon entering the premises, members will show their current membership card to the person on duty.

b. Members will sign their guests in, in the Guest Register, which will be maintained and controlled by person on duty.

c. Guests will be limited to those persons who are close friends or relatives of the member and those who may be prospective members.

d. Guests will be limited to use of the club by not exceeding three visits per month.

e. Members are responsible for their guests and will insure that they are aware of and obey house rules while on the premises.

E. General Prohibitions:

1. No member or employee shall allow an intoxicated person to consume alcoholic beverage on the premises.

2. No member or employee shall engage in or allow any other person to engage in gambling on the premises.

3. No member or employee shall possess or use, or allow any other person to possess or use any controlled substance or other illegal drug on the premises.

4. No member or employee shall use or permit the use of loud, profane or indecent language.

5. No member or employee shall engage in or allow any other person to engage in an affray or disorderly conduct on the premises.

F. Hours of Operation:

1. During the period commencing the first Sunday of April and ending on the last Sunday of October, alcoholic beverages may be sold between the hours of 7:00 AM and 2:00 AM and all tables and counters shall be cleared by 2:30 AM. The sale of alcoholic beverages shall not resume until 1:00 PM on any Sunday.

2. During the remainder of the year, alcoholic beverages may be sold between the hours of 7:00 AM and 1:00 AM and all tables and counters shall be cleared by 1:30 AM. The sale of alcoholic beverages shall not resume until 1:00 PM on any Sunday.