



Bylaws
of the
Korean War and Korea Service Veterans Association
of Lake County, (Florida)
Chapter # 169, Inc.

KWVA, Chapter 169
P.O. Box 491428
Leesburg, FL 34849-1428

August 27, 2014

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Bylaws of the Korean War and Service Veterans of Lake County, Chapter 169, Inc

1. ARTICLE ONE: CHARTER

- 1.1. CHAPTER:** This Chapter, having been chartered by the Korean War Veterans Association, Inc., (herein known as KWVA or Association) shall be known as the Korean War Veterans of Lake County, Chapter, #169 Inc., (Chapter, Chapter 169). The term for which it is organized shall be perpetual. This Chapter may also operate under the name Korean War and Korean Service Veterans of Lake County, Chapter, #169.
- 1.2. EVENT OF CONFLICT:** These Bylaws, in association with the Chapter's Policy, Procedures and Duties Manual, govern the affairs and operations of the Chapter. In the event of conflict, the Association Bylaws dated October 30, 2011, or later if appropriate, shall take precedence.
- 1.3. OBJECTIVES:** The objectives of Chapter 169 shall be to:
 - 1.3.1.** Organize, promote and maintain for benevolent and charitable purposes an Association of persons who have seen honorable service in Korea, and of certain other veterans and persons with the qualifications for membership set forth in Article 2, Membership Qualifications.
 - 1.3.2.** Provide a means of contact and communication among Chapter members and with the Department of Florida (DoF) and the Association.
 - 1.3.3.** Promote the establishment of, and to establish war and other memorials of anyone in the Korean War or Korean Service.
 - 1.3.4.** Educate youth and the public at large on the Korean War, its continuation to today, and its impact on our freedom and our Republic.
 - 1.3.5.** Provide funds for education and scholarships.
 - 1.3.6.** Aid needy Chapter members and their spouses and children, the spouses and children of persons who were members at the time of their death, and anyone among the needy public.
- 1.4. INCORPORATION:** The Chapter shall be incorporated under the laws of The State of Florida.
- 1.5. PRINCIPAL OFFICES** of the Chapter shall be in the County of Lake, State of Florida. The Chapter shall maintain a Leesburg Post Office Box to have one unified Chapter Address.

2. ARTICLE TWO: MEMBERSHIP

2.1. GENERAL:

- 2.1.1.** The Chapter shall consist of Regular, Associate, and Honorary Members.
- 2.1.2.** All members eligible shall have and maintain membership in the Association.
- 2.1.3.** No person shall be excluded from membership because of race, color, creed, sex, national or ethnic origin, sexual orientation, physical or mental disability;
- 2.1.4.** Any person desirous of membership shall make an application in the manner provided by the Bylaws and Procedures of this Chapter;
- 2.1.5.** No person shall be accepted as a member of the Chapter who is directly or indirectly a member of or connected with the Communist Party, or who believes in the overthrow of our government by force;

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2.1.6. No member shall improperly solicit or seek to persuade any person to become a member.

2.1.7. It shall be the duty of the members to report any changes of residences as soon as possible to the Membership Database Manager (Treasurer) of the Chapter.

2.2. REGULAR MEMBERS:

2.2.1. Service in the United States Armed Forces. Any person who has seen honorable service in any of the Armed Forces of the United States, defined as Army, Navy, Marines, Air Force and Coast Guard, is eligible for membership if: a. Said service was within Korea including territorial waters and airspace at any time, September 3, 1945 to Present, or b. Said service was outside of Korea, June 25, 1950 to January 31, 1955.

2.2.2. Medal of Honor. Any Medal of Honor recipient, is eligible for free lifetime KWVA membership. A signed statement of their eligibility for membership must be provided for approval.

2.2.3. Prisoner of War. Any person held as a prisoner of war by the North Koreans, Chinese, or Russian forces during and after the period of hostilities from June 25, 1950 forward is eligible for free life membership. A signed statement of their eligibility for membership must be provided for approval.

2.2.4. Gold Star Parents. Any parent whose son/daughter was killed in action, or was missing in action, or died as a prisoner of war during the Korean War (June 25, 1950 to the present) is eligible for free life membership. A signed statement of their eligibility for membership must be provided for approval.

2.2.5. Gold Star Spouses. Any person whose spouse was killed in action, missing in action, or died as a prisoner of war during the Korean War (June 25, 1950 to the present) is eligible for free life membership. A signed statement of their eligibility for membership must be provided for approval.

2.3. ASSOCIATE MEMBERS:

2.3.1. Any person with a legitimate interest in the objectives of this Chapter who wishes to support its aims, and not being eligible for Regular Membership, who agrees to accept the terms and conditions set forth in the KWVA and Chapter Charter and Bylaws shall be eligible for Associate Membership in the Chapter. A signed statement of their interests in the KWVA and Chapter 169 must be provided for approval. Associate Members shall incur all member dues.

2.4. CHAPTER HONORARY MEMBERS.

2.4.1. Any person of good character may be elected as a Chapter 169 Honorary Member by vote at a Regular Meeting

2.4.2. Any Chapter Member may be granted Honorary status by the Chapter, which then is responsible for the appropriate dues.

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- 2.5. LIFE CHAPTER MEMBERSHIP.** There shall be no Chapter 169 Life Membership, except for those who have been granted such membership prior to approval of these Bylaws Revisions (September 22, 2010), or extended to them as an Honorary Chapter Member.
- 2.6. INELIGIBLE.** Any person who has been separated from the service of the Armed Forces of the United States under conditions other than honorable shall be ineligible for membership.
- 2.7. APPLICATION:**
- 2.7.1.** Any person qualifying under the above criteria may present a written membership application as specified in Policy, Procedures and Duties Manual to any member of the Chapter. Such application, when accompanied by the current dues and honored by the Chapter, shall be an agreement that the applicant does agree to abide by and conform to the Charter, Bylaws and Procedures of the Chapter and of the Association.
- 2.8. DUES: PAYMENT OF DUES:**
- 2.8.1.** The payment of all Chapter, Department and Association dues is a condition of initial and continuing membership in Chapter 169.
- 2.8.2.** Chapter dues shall be set by vote of the membership at any Regular Meeting, and shall encompass Chapter Regular, Associate and Honorary Members.
- 2.8.3.** Medal of Honor members, POW members, and Gold Star members are not required to pay dues.
- 2.8.4.** The Chapter Dues Date is 30 days prior to the Member's Association dues date, and may be paid up to 60 days prior to the Association renewal date; they shall be considered delinquent on the Association renewal date.
- 2.8.5.** The Chapter will accept all dues: Association, Department and Chapter, and will assure that they are filed with the appropriate office in a timely manner.
- 2.9. TERMINATION OF MEMBERSHIP:**
- 2.9.1.** Any member who has not paid all KWVA dues to which they are subject 30 days after the Association Due Date shall be removed from Chapter 169 affiliation in the Association Membership DB.
- 2.9.2.** Such member also shall not be carried on Chapter 169's internal Membership DB.
- 2.9.3.** Termination or suspension for any other reason must be subject to a 2/3 vote at a Regular Meeting.
- 2.10. RESIGNATION and REINSTATEMENT:**
- 2.10.1.** Any member may resign by filling a written resignation with the Secretary but said resignation shall not resolve the resigning member of the obligation to pay dues or any other monies owing to the Chapter, nor will it entitle the resigning member to a refund of any dues or other payment or transactions already affected. All letters of resignation will be read at the next regular Chapter meeting and recorded in the minutes of that meeting.
- 2.10.2.** Request for reinstatement shall be submitted in writing to the Chapter Secretary, and shall be subject to a 2/3 vote of the members present and voting at the next Regular Meet-

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ing. The Chapter's decision shall be conveyed to the requesting party in writing by the Secretary of the Chapter. The applicant for reinstatement shall not be present during voting.

2.11. MEMBERSHIP TRANSFER & CHAPTER AFFILIATION:

2.11.1. Membership in this Chapter shall not be transferred or assigned without proper notification to the Chapter and/or the Association Membership Office; no dues will be transferred between Chapters or Departments.

2.11.2. Members may hold informal membership in additional Chapters, said membership to be managed by the Chapters involved; however, they must declare a single membership in one Chapter in the Association Membership DB, which shall be their official Chapter Membership.

2.12. PARTICIPATION IN CHAPTER ACTIVITIES, such as Color Guard, parades, memorials, services, Tell America, and any and all other Chapter activities shall be limited to only to those persons completely fulfilling the requirements for membership outlined herein and their spouses or significant others.

3. ARTICLE THREE: MEETINGS

3.1. GENERAL:

3.1.1. Meetings will consist of Regular, Board of Directors (BoD), Special, Social, and Committee meetings.

3.1.2. All meetings of any kind shall be open to any member in good standing (with the exception of disciplinary actions). Only elected or appointed officers will have the right to address BOD or Committee meetings. Other members or guests may address these meetings only if invited by the chairperson.

3.1.3. No one shall address or comment to the meeting unless they have first been recognized, identified and invited to speak by the chairperson.

3.1.4. Any comments made prior to being recognized by the chairperson shall not be recorded in the minutes of the meeting.

3.1.5. Interruptions and disruptive behavior shall not be tolerated during the meeting and restraint of aforementioned shall be taken by the chairperson of the meeting, or in more extreme situations by the Sgt at Arms.

3.1.6. The chair may restrict speakers to a reasonable time limit, to be set in advance when practical; any attempt to filibuster shall not be tolerated.

3.2. QUORUM REQUIREMENTS:

3.2.1. Regular Meetings: Two (2) officers and ten (10) members.

3.2.2. BOD Meetings: Fifty (50) percent of the filled BOD positions; the BoD position possesses quorum and voting privileges.

3.2.3. Special Meetings: A minimum of three (3) and or a simple majority of those in attendance who are eligible to vote.

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3.2.4. **Quorum Count:** A quorum count is to be taken by the Sgt. at Arms or his/her deputy, before each regular or Special Meeting is opened by the chairperson to ensure that a quorum is present for any voting.

3.3. VOTING:

3.3.1. Only Active Members in good standing of the Chapter may vote at any Chapter meeting.

3.3.2. Except when otherwise provided for herein, all votes shall be carried by a simple majority of the Active Members in good standing in attendance and voting.

3.3.3. Proxy voting shall not be permitted

3.3.4. Only members of the BOD may vote at any BOD meeting

3.4. REGULAR MEETINGS

3.4.1. Regular Meetings shall be held at such time and location as may be voted by the membership at any Regular Meeting.

3.4.2. The President shall prepare and distribute an Agenda prior to the meeting.

~~3.4.3.~~ Order of Business: The Order of Business shall be that presented in the Policy, Procedures and Duties Manual.

3.5. BOD MEETINGS:

3.5.1. BOD meetings will be held at a regular scheduled time and place each month, or less frequently as determined by the BOD.

3.5.2. The President shall prepare and distribute an Agenda prior to the meeting.

3.6. SPECIAL MEETINGS: May be called by:

3.6.1. The President, a simple majority of the elected officers, or by three (3) or more members in good standing. Request must be in writing, describing what business will be discussed: members making request will sign the request.

3.6.2. The Secretary shall forthwith call a meeting by written notice to all the membership at least ten (10) calendar days prior to the date of a Special Meeting.

3.6.3. No other business shall be conducted at this meeting. Reports of all Special Meetings and matters discussed shall be made to the membership at the next Regular Meeting under normal order of business.

3.7. **COMMITTEE MEETINGS:** May be held when deemed necessary by the committee chairperson.

3.8. **SOCIAL MEETINGS:** May be held as desired by the Chapter and in accordance with the Bylaws of the Chapter.

4. ARTICLE FOUR: OFFICERS:

4.1. **ELECTED OFFICERS:** The Chapter shall elect the President, First Vice President, and Second Vice President, who shall all be Active Regular Members. The Secretary and Treasurer may be either elected or appointed, may be held by the same person, may be either an Active Regular or Associate Member, and may not be President or First or Second Vice-President.

4.2. **ELECTIONS:** Please refer to Chapter Policy, Procedures and Duties Manual for Nomination and Election Procedures

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4.3. BOARD OF DIRECTORS:

4.3.1. The Board of Directors (BOD) shall consist of the President, First and Second Vice Presidents, Secretary and Treasurer, the Immediate Past President, and the member appointed to fill each of the defined positions on the BoD, e.g., Sergeant at arms, Chaplain, Historian, Quartermaster, Newsletter Editor, Web Master, Color Guard Leader, Assistance and Aid, Public Relations, By Laws and Procedures, Activities, Tell America, etc. The President may appoint others he or she deems appropriate. One Member may fill more than one BoD position. The position shall possess BoD quorum and voting privileges. All BoD members shall have equal BoD rights and privileges.

4.3.2. A member may be appointed to serve as Alternate Secretary/Treasurer, which is designed to learn and back up or replace the Secretary or Treasurer positions if needed.

4.4. TERMS AND CONDITIONS OF THE OFFICERS AND BOD:

4.4.1. Officers are elected for a two-year term of office, and may serve no more than two consecutive terms in any one elected office (exceptions are the offices of Secretary and/or Treasurer which may hold that office as long as the membership desires).

4.4.2. This two consecutive term limit may be waived by a majority vote of the regular membership present and voting at the Regular Member Meeting in the elections month specified in the Operating Procedures if the following two requirements are completely satisfied: 1) no other member is willing to run for the office, and 2) the incumbent is willing to serve another elected term.

4.4.3. Appointed position terms of office shall correspond with those of the Elected officials.

4.4.4. A new Treasurer shall not assume responsibilities until the Chapter's financial accounts have been audited by the Audit Committee. Such audit must be carried out before or within the next thirty (30) calendar days by an appointed audit committee.

4.5. **NOMINATIONS:** Nominations for offices shall follow the directives specified in the Chapter's Policy, Procedures and Duties Manual.

4.6. ELECTIONS:

4.6.1. Elections shall take place at the regular November meeting and installation of officers will be at the Regular Meeting in January, or at another official Chapter meeting between the November Election and the January meeting.

4.6.2. See Procedures for Officer Election and Installation in Policy, Procedures and Duties Manual.

4.7. **VACANCIES:** Vacancy in any elected office for any reason shall be filled through appointment by the President and approval by the BOD and confirmed by vote of those present and eligible to vote at the next Regular Meeting; they will be for the duration of the current term. All other vacancies are to be filled by appointment by the President and concurrence by the BoD,

4.8. REMOVAL:

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- 4.8.1. An elected or appointed Chapter official may be removed for cause, and their office declared vacant by a fifty-one percent vote of those present and in good standing at a Regular Meeting.
- 4.8.2. Failure to keep Association membership and Chapter dues current will result in immediate automatic removal from office.
- 4.8.3. Failure to attend Regular and Board meetings for three consecutive months without reason and permission shall likewise be subject to automatic removal from office.

4.9. POWERS AND DUTIES:

- 4.9.1. Officers shall have the powers and shall perform such duties as may from time to time be specified in resolutions or other directives of the BOD.
- 4.9.2. In absence of such specifications, each officer shall have the power and authority and shall perform and discharge the duties of officers of the same title serving in nonprofit corporations having the same or similar purposes and objectives.

4.9.3. DUTIES OF THE PRESIDENT

- 4.9.3.1. provide Chapter vision and leadership consistent with the bylaws, policies and guidance of the Board, the Department and the Association;
- 4.9.3.2. be the executive officer of the Chapter; perform the functions conferred upon him/her by these Bylaws;
- 4.9.3.3. execute the specific duties of the President as delineated in the Policy, Procedures and Duties Manual.

4.9.4. FIRST VICE PRESIDENT: The 1st Vice President) shall:

- 4.9.4.1. officiate for the President in President's absence, and when so doing shall be invested with the full powers and prerogatives and duties of the President;
- 4.9.4.2. plan, organize, and manage the year's Chapter Fund Raising programs;
- 4.9.4.3. execute the specific duties of the First Vice-President as delineated in the Policy, Procedures and Duties Manual.

4.9.5. SECOND VICE PRESIDENT: The Second Vice President shall:

- 4.9.5.1. assist the President in the performance of the President's duties as defined above;
- 4.9.5.2. plan, organize, and manage the year's Chapter program to obtain new members;
- 4.9.5.3. assume, if necessary, the position and duties of either the First Vice President and/or the President.
- 4.9.5.4. execute the specific duties of the Second Vice-President as delineated in the Policy, Procedures and Duties Manual.

4.9.6. SECRETARY: The Secretary shall:

- 4.9.6.1. keep correct minutes of all BOD and Regular Meetings;
- 4.9.6.2. maintain all Chapter official files, including books, papers, records, and computer files as appropriate;
- 4.9.6.3. execute the specific duties of the Secretary as delineated in the Procedures Manual.

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4.9.6.4. Combining Secretary and Treasurer is permissible and may increase efficiencies.

4.9.7. TREASURER: The Treasurer shall:

4.9.7.1. Generally perform all duties commensurate with the duties of Treasure, including accepting all monies received by the Chapter from all sources, including dues, recording all such Chapter monies received, and provide a receipt thereof, and depositing same in Chapter's Banking Account;

4.9.7.2. execute the specific duties of the Treasurer as delineated in the Procedures Manual.

4.9.7.3. Combining Secretary and Treasurer is permissible and may increase efficiencies.

4.9.8. ALT SECRETARY/TREASURER: shall "shadow" the Secretary and Treasurer to a) learn operating procedures for both positions, and b) fill in either of these positions in case the incumbent is no longer able to serve.

5. ARTICLE FIVE: COMMITTEES

5.1. There are no standing committees in the Chapter; however, The President may appoint Committees to address a unique problem or situation as appropriate, and also specify membership, chair, duties and responsibilities and a completion date. Proceedings of these Committees shall be recorded in the minutes of record, as well as in Chapter records.

5.2. Members of the BoD with specific activities or duties may also appoint their own Committees and shall comply with all the requirements specified for the President in the above paragraph.

6. ARTICLE SIX: FUNDS, INCOME AND EXPENDITURES, CASH RESERVES:

6.1. Income is all Chapter receipts, and includes, but not limited to, dues at all organizational levels, Booster and specific donations, special fund-raising activities, etc.

6.2. The BOD shall manage the funds of the Chapter during its term in office, and shall ensure that a minimum cash reserve of one thousand (\$1,000.00) be maintained at all times, with no obligation of funds causing chapter account to fall below said level.

6.3. A minimum of one-half (50 percent) of Chapter income (excluding pass-through and all dues) shall be expended for scholarship, educational and charity purposes, our primary Chapter mission;

6.4. pass-through receipts are defined as Association and Department dues, Christmas and other events, etc.

6.5. The Chapter may use the other fifty-percent of income for operations and programs, or for more educational and charitable contributions.

6.6. BoD members with spending authority as defined above shall have the authority to expend Chapter monies commensurate with their area of activity without obtaining specific BoD authority for each item, e.g., postage and stamps, normal and reoccurring printing and supplies, daisies, Chapter Caps and badges, P.O. Box, etc.

6.7. The cost of food, refreshments, entertainment and incidental expenses for any Chapter activity may be paid from chapter funds if so approved prior to expenditures for this activity.

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- 6.8. Written documentation shall be maintained for all fund activities; such shall be initialed by the submitting member.
7. **ARTICLE SEVEN: RULES AND PARLIAMENTARY AUTHORITY**
- 7.1. **PARLIAMENTARY GUIDE:** “The New Robert’s Rules of Order” revised edition (current issue) shall guide the Chapter in cases to which they are applicable and are not inconsistent with these Bylaws or any special rules of order the Chapter may adopt.
- 7.2. **APPLICATION TO PREVIOUS:** It is therefore understood and agreed that any previous motion, program, or directive that has been adopted by the Chapter that conflict with these Bylaws are null and void, subsequent to the definitive adoption of these Bylaws.
- 7.3. **GUIDING RULES:** These Bylaws shall be functional and guiding rules, regulations, and directives for the operation of the Chapter and are augmented by the extended directives in the accompanying Chapter’s Policy, Procedures and Duties Manual.
8. **ARTICLE EIGHT: DISSOLUTION:**
- 8.1. The Chapter may be dissolved in accordance with the laws of the United States and the State of Florida. All property of the Chapter will be disbursed in accordance with the United States Internal Revenue Code and the laws of the State of Florida.
- 8.2. Use funds remaining in the treasury upon dissolution to first satisfy outstanding debts, liabilities and obligations of the Chapter.
- 8.3. Residual assets shall be disposed of as determined by the Chapter’s BOD.
- 8.4. No member shall derive financial benefit, direct or indirect, from membership in the Chapter.
9. **ARTICLE NINE: AMENDING THESE BYLAWS**
- 9.1. **WRITTEN SUBMISSION:** Proposed amendments must be submitted in writing at a Regular Meeting or made available to the members to read or verbally summarize to the membership.
- 9.2. **REVIEW OF PROPOSED CHANGES:** The BOD shall review all changes and may provide opinions to the membership. Members shall also have the opportunity to review all Bylaws changes.
- 9.3. **NOTIFICATION OF CHANGES:** Notification of time and place that amendments will be voted on will be given to the membership at least 30 days prior to the vote.
- 9.4. **VOTING:** These Bylaws may be amended at a Regular Meeting by a majority vote of the members present and voting. Permanent records may be filed with Lake County Records Clerk.
- 9.5. **FILING:** Any amendments or alterations in these Bylaws of the Corporation shall be forthwith filed with the KWVA (Association) Assistant Secretary Supervisor - Management Info Systems; and with the State of Florida if necessary.
- 9.6. **REVIEW:** Bylaws shall be reviewed, revised or amended as necessary and adopted at least every five (5) years and forthwith filed as the Bylaws of the Corporation, including sending a copy to the KWVA Assistant Secretary Supervisor - Management Info System, and the State of Florida.
10. **END OF BYLAWS**

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BYLAWS REVIEWS, REVISIONS AND CHANGES.

4/14/1999. Bylaws revised and accepted by the membership

6/24/2000. Revised - comply with Association KWVA bylaws.

6/25/2001. Revised - define Past President on BoD.

9/26/2001. Revised - clarify quorum requirements.

12/13/2001. Revised - include 2nd Vice President.

1/23/2002. Revised - include financial requirements changes.

2/26/2003. Revised - new officer requirements.

10/23/2003. Revised officer requirement (Removed requirement that officers be members of Association).

1/26/2006. Revision (All new members are required to be members of Association).

2/22/2006. Revision officer's terms (term in office increased from 1 year to 2 years).

9/27/2006. Revision to edit and reconfigure Bylaws and to update Secretary/Treasurer.

1/1/2009. Revision to edit and reconfigure Bylaws and to update Secretary/Treasurer.

1/27/2010. Revision to change date Chapter Dues payable to be same as due date for Association dues; and to remove the Life Membership as a membership option.

9/22/2010. Five-year review and update as mandated in the Bylaws, and to bring in conformance with the Association Bylaws.

11/28/2012. Review and modernization to bring bylaws into Association's current Bylaws and Operating Procedures, and to redistribute some chapter duties.

08/27/2014. Changes to remove outdated portions, move other portions to the Policy, Procedures and Duties Manual of the same date, and to add new language to bring the Bylaws into synchronization with actual processes employed.

BYLAWS CERTIFICATES

I, Mary L. Lum, the undersigned, do hereby certify that I am the duly elected and acting Secretary of the Korean

War Veterans Association Lake County Chapter #169, Inc., a nonprofit Corporation and that the proceeding Bylaws, comprising eight articles and eighteen (18) pages constitutes the Bylaws of said Corporation as duly adopted at a Regular Meeting of the membership. In witness whereof, I have herein to subscribed my name this 14th day of April 1999. /S/ Mary L. Lum.

I, William F. Taylor newly elected to the office of Secretary of the Korean War Veterans Association Lake County Chapter #169, Inc., attest to the above declaration, as of 11/30/2005.

I, Thomas J. Thiel, appointed Secretary/Treasurer on August 9, 2006, state that I have reformatted the Bylaws from 20 pages in all capital letters to the 13 pages as contained herein. December 1, 2006.

I, Ted Morford, elected Secretary/Treasurer of the Korean War Veterans Association of Lake County Chapter #169, Inc., on November 19, 2008, state that these Bylaws have been further reformatted from 13 pages to the nine (9) pages as contained herein. November 19, 2008.

I, Tom J. Thiel, President, CID169, and the Members present on September 22, 2010, have performed the requisite five-year review and update as mandated in the Bylaws.

I, Tom J. Thiel, President, Chapter 169 and members of the special bylaws committee, Dwight Brown, chair, Jackie Gleason, Ted Morford, Ted Jansen, and Bill Shumaker. Approved by Members present and voting on Chapter 169 Bylaws, November 28, 2012.

I, Tom J. Thiel, Chair of the Special Bylaws Committee consisting of all the then members of the Board of Directors and duly appointed Acting Secretary CID169, do hereby certify that the members of CID 169 then present on August 27, 2014, did hereby approve the Bylaws herein documented.