

**SOUTH HOUSTON POST 490, INC.
DEPARTMENT OF TEXAS
(AMERICAN LEGION)**

BOARD OF TRUSTEE POLICY



July 2021

Board of Trustees Management Policy

Reference: The American Legion Post 490 By-Laws, Article XIII, Section 1, charges the Post General Membership with electing a Board of Trustees:

History: Judge Advocate Greg Treacy as Audit Committee Chairman conducted the 2014 Internal Audit in the Post's administrative office on 24 May 2014 with the Finance Officer/Office Manager Wendell Denney and Post Adjutant Lynn Sparks present. Post Members Butch Sparks, Betty Clappenbach, Eddie Barela, and Jack Leavell participated as members-at-large. Earl McLearn attended as the representative from the Sons of the American Legion. Commander (Elect) Faith Federspiel and Adjutant (Elect) Elgin LaStrape observed the audit. The period of records reviewed during the audit was July 1, 2013 to May 24, 2014. The Committee requested a current roster of the members of the Board of Trustees with each Trustee's length of term and discovered there were no documented record of collective information or a policy delineating term length and rotation. Rather than propose a change to the Constitution and By-Laws, it was discussed and determined that a management policy letter would resolve the issue. However, since then the initial need to determine who filled the Trustee positions was convoluted with other policies of the Board of Trustees as recorded in the Board of Trustees Management Policy. By including the names of the Trustees in the Policy document, the Policy had to be updated annually to record the names. The 2021 Policy revision splits the documentation of who the Trustees are from the Policy for the Board of Trustees.

Purpose: The purpose of this document is to maintain a Management Policy of the current Board of Trustees for election purposes.

Policy: Per American Legion Post 490, Inc. Constitution, the Post general membership will elect a Board of Trustees per the By-Laws Article XII and the following Policy

1. In accordance with the Board of Trustees request for reformation within the Board and the 2018 changes to the Post By-Laws, the organization of the Board of Trustees changes from each of 6 Trustees serving 1 through 6-year terms to 6 Trustees composed of two (2) Trustees per each of the one (1) through three (3) Year terms. Therefore, two (2) 3-Year Trustees will be filled by election annually instead of one (1) Six-Year Trustee.
2. With the reorganization of the 2018 Trustee Term Limits, the current 2-Year and 3-Year Trustees become the 1-Year Trustees after the Post Election. The current 4 and 5 Year Trustees become the 2-Year Trustees. The 6-Year Trustee becomes one of the 3-Year Trustees and the elected 6-Year Trustee will become the second 3-Year Trustee. The slate for the 2019 election will require two (2) 3-Year Trustees to be elected.
3. The outgoing 1-Year Trustee is eligible to be nominated and elected to any Trustee position.
4. Should a Trustee be elected to the position of Commander, or an elected position that would create a conflict of interest, an election must be held to fill the Trustee's unexpired term position, which that Trustee was being moved into. This is only a one-year term to fill-in for the absent Trustee for one year.
 - a. Should the absent Trustee not be re-elected as Commander or an elected position that would create a conflict of interest, the absent Trustee will return to complete his remaining term as Trustee without an election.
 - b. Should the absent Trustee be re-elected for an additional term outside the Board, an additional one-year term election for the absent Trustee's next seniority Trustee Position for one year will be conducted.
 - c. Should the absent Trustee be removed properly, by 2/3s vote of the Executive Committee, from the position as Commander or an elected position that would create a conflict of interest, the General

Board of Trustees Management Policy

Membership will elect a new Trustee to fill the absent Trustee's next senior Trustee Position with someone other than the removed Commander or elected position that would create a conflict of interest.

5. Should a Trustee resign, die, be convicted of a felony, become mentally incapacitated (medically documented), or be removed by 2/3 vote of the Executive Committee in accordance with Post Constitution, Article V, Section 5 during the mid-term, the Commander can recommend an interim Trustee until an election can be held to elect a replacement Trustee to complete the removed Trustee's current year only. The appointment will be effective after a majority of the Board of Trustees and a majority of the Executive Committee approve the recommendation. The next General Membership Elections will determine the Trustee Position of next senior term. At the next General Membership Elections, the replacement Trustee is eligible to be nominated and elected to either the next senior Trustee Position for which he served, or the new open 3-Year Trustee Position. For Example:

The 3-Year trustee is properly removed for failure to attend meetings in mid-term. An election is held at the next General Membership Meeting to immediately fill the 3-Year Trustee's Position for the remainder of the year. At the next General Membership Elections, the replacement 3-Year Trustee's term ends, and an election for the 2-year Trustee will be conducted. The replacement 3-Year Trustee is eligible to be nominated and elected to either the 2-Year or the new 3-Year Trustee Position.

List of Trustees: Per Article XIII of the Post 490 By-Laws, the Board of Trustees shall elect the Chairman and Foreman for the Board of Trustees. It is the responsibility of the Chairman to maintain a list of members of the Board by term and contact info. The information should be kept in the Trustee binder in the Post office.

990 Compliance: All decisions and actions undertaken by the Board of Trustees shall comply with the Post 490 990 Compliance Policy.

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This Policy supersedes the 2019 Board of Trustees Policy Letter.

The undersigned have reviewed the 2021 Board of Trustees Policy Letter and endorse the recommended updates.

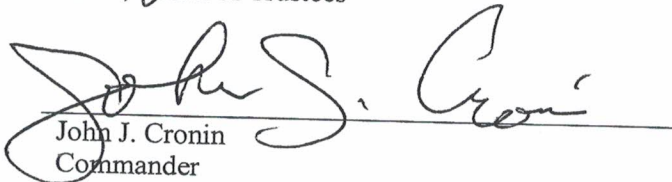
It is also the recommendation of this committee for the Executive Committee to endorse and approve the recommended updates.


Benjamin I. Edwards II
Judge Advocate

7 Jul 2021
Date


Walter Youngblood
Chair, Board of Trustees

07 Jul 2021
Date


John J. Cronin
Commander

7/7/21
Date