The Department Executive Committee met on February 29, 2020 at The American Legion Department of SC, 103 Legion Plaza Rd, Columbia, SC 29210.

Executive Committee Members Present:

Dept Commander Walt Richardson
Dept Adjutant Nick Diener
Dept Historian Russ Cantrell
NEC Michael Strauss
Alt NEC Bob Scherer
Dept 1st Vice Cmdr Roberta Poulos
Dept 2nd Vice Cmdr Ron Price
Dept 3rd Vice Cmdr Robin Rucker
Dept 4th Vice Cmdr Jim Kvam
D-3 Cmdr Bridget Lewis
D-4 Cmdr Wayne Southworth
D-5 Cmdr Jack Smith
D-6 Cmdr Bill Simpson
D-8 Cmdr Chuck Shaffer
D-9 Cmdr Robert Sweet
D-10 Cmdr Tommy Sinclair
D-11 Cmdr Jack Lonergan
D-12 Cmdr Charlie Davis
D-14 Cmdr Mike Brandt
D-15 Cmdr Jamie Rumbaugh
D-16 Cmdr Jim Defrehn
D-17 Cmdr Jim Thrailkill
D-18 Cmdr Larry Pounce
Dept Chaplain Richard Mullinax
Dept Sgt-at-Arms George Oxner
Asst Sgt-at-Arms Kevin Joy
PDC/PDA Jim Hawk
PDC Joe Lysaght
PNEC Cecil ‘Bud’ Hennis

Absent:
Imm PDC John Britt
Dept JA Stephen Lewis
Asst JA Anthony Livoti
Dept Asst JA Cody Mitchell
D-1 Cmdr Jim Jarvis
D-2 Cmdr Chuck Blankin
D-7 Cmdr Michael Calcutt
D-13 Cmdr vacant
D-19 Cmdr Bob Gibbons
D-20 Cmdr David Mills

Also Present:
Darlene Walton, Post 130
M. May, Dept Exec Director
Ralph Wainright, Post 71
Matt Gooden, Post 215
John Lenotte, Post 214
John Isgett, Post 12
Elaine Lenotte, Post 214
Scott Cain, Post 70
Cmdr Richardson opened the meeting and called on Chaplain Mullinax for the invocation, Vice Cmdr Kvam for Resolution 288, Vice Cmdr Poulos for the Pledge of Allegiance and Vice Cmdr Rucker for the Preamble.

Dept Cmdr Richardson: I’d like to welcome everyone to the DEC meeting. We have a lot on the agenda and we’re going to try to go through this as expeditiously as possible. I do have, before we get started, I want to welcome our newest member of the DEC, Jack, Jack Smith from District Five. Very good. Next, as everybody in here knows, we have the National Commander is coming here tomorrow. And we had, one person’s been working their butt off around here, Richard Royer. He’s done everything from pulling bushes out, paint to laminate in the men’s bathroom, he’s fixed it. And so, you know, if you see him, tell him thank you very much, we appreciate all of it. Next, want to thank Bridget, David Mills and Jack for the work they did on the podcasts. If you haven’t seen the podcasts for the elections, tune in, very nice, very good, very good. Also, just to let you know, I’m sure all of you have gotten the Legion night. This could be a very good thing and we owe this to, to Robin. Robin’s been out and he’s been pushing this thing, he’s been pushing like a trojan, and Robin, thank you for all the work you did, we appreciate that. Alright, alright now, roll call, please sir?

Department Adjutant Diener called the roll and announced the Commander had a quorum.

Dept Cmdr Richardson: Alright, moving on, with the minutes. Do I have a motion?

**D-14 Cmdr Brandt:** I make a motion to accept the minutes as written.

**D-4 Cmdr Southworth:** Second.

Dept Cmdr Richardson: All in favor say aye. Opposed? (all present voted in favor of accepting the minutes as written. None opposed). Very good.

Dept Adj Diener: Ok, passing you out two finance reports, one of them is the unaudited year-end report, just so you can see that. And the other one is the end of January report. While they’re passing those out, for the end of the year, there wasn’t a lot of change on it. As you look at the report, you will notice from previous reports the bottom line of the net income dropped by a big amount but that was because at the last DEC we voted to put $100,000 against the mortgage so we have accomplished that but when you put that in as an expense it dropped the bottom line down but we’re still in very good shape. Ok, everybody’s got them? The finance chairman, Jim Jarvis, could not be here today so unless you have any questions, the reports are straight forward, nothing really jumps out that you can go over. So unless there any questions, I’ll move on.

**D-16 Cmdr Defrehn:** Do you need a motion to accept it?

Dept Adj Diener: No. Ok, the next piece we have to do on that is the Law Cadet budget. The next piece we’re passing out to you is the budget for our Law Cadet program. This budget has the, the finance committee has looked at it, the Law Cadet Committee has looked at it, I’ve looked at it, a bunch of us have looked at it and everybody is in concurrence on it. Again, no real changes from last year’s budget. It’s a pretty good reflection of what we’re expecting for expenses and for income. I will tell you that a nice thing on it is that some of the donations that we were talking about or that we have listed here, John McKnight, who is the Chairman, has already exceeded the amount that we were expecting on donations. So those have already started to come in, so I think we’re in real good shape. Ok, does everybody have a copy?
D-10 Cmdr Sinclair: John did raise some money, everybody’s passing something wanting a vote, I’m going to pass out something for John, he wants contributions. What he’s really asking, if you can, focus on buying a half a meal for the program. If each post did that or 50 posts did that, it would cover all the bills. So he’s asking the posts. I’ll get it to all the District Commanders, we’ve been talking about it, to commit to sponsoring a half a meal (inaudible), which is $250. District ten already put in about $2,000, I think Clinton (inaudible).

Dept Adj Diener: And what you don’t realize is those $250 here, $250 there make a big difference on what we’re doing here and secondly on how much we can feed these kids. The meals, they run a big expense because you’re talking high school kids running around all day and they can put away some food. Ok, if there’s not any other comments or questions.

NEC Strauss: I make a motion that we accept the Law Cadet budget and take the information as received and recorded.

Vice Cmdr Poulos: And I second.

Dept Cmdr Richardson: The motion has been made and seconded that we accept the Law Cadet budget. All in favor say aye, opposed? (all present voted in favor of accepting the Law Cadet budget). Darlene?

Membership Chairman Walton: We’re looking pretty good, and I say pretty good. Right now, as far as National is concerned, with their numbers from last year, we’re over 300 ahead of where we were at this time last year and, but we still have got four more months to get pushing to getting our goal met. I have also done, besides the membership report, a little tally, I’d sent one out to you prior. But I did one up again last night. Right now we have 43 posts that have reached their 100% goal and 42 of those posts, plus 42 posts have made the 90% goal which is coming up this next week. So I want to commend those posts for their diligence. Now, one thing I want to say though is the fact we’re not working our renewals enough. Our renewals are going to be what’s going to hurt us. If we don’t step up and go out and make those calls, visit those people and check on them, like I said, renewals can bury us. Do I stress that you guys go back out there and talk to your posts in your District meetings whatever, you know which posts are doing good and which ones aren’t. Now, we did our revitalizations and we’ve got two more to go. The sad part about revitalizations is the fact of getting the posts to participate. You know, those who have participated have done very well with this. We’re not asking to reinvent the wheel; we’re handing them a list of people that have been members or are members in the state post to come in there and get them to come to your post. But with said too, we’ve also got to remember this, we get these people lined up, the post needs to go out and approach these people and make them feel welcome. When they come in the door are, they that guy that you ignore. So you need to stress this, when you get these new members in, find something, get them included, bring it up to par. And like I said, you also are getting the Big Board sheet telling you how everybody is ranking. And there again, you should be concerned if you’re one of those District Commanders that hasn’t gotten, I know you guys are working, I understand that. And I know sometimes it’s like pulling teeth out there, but we’ve all got to get in there, this is our mission to get it going. And remember, membership is our life blood here. You can do budget; you can do all these things but without membership we can’t stay afloat.

Ok, one other thing I’d like to mention is about the VA.

Dept Cmdr Richardson: Hold on. Alright, on membership, a couple things. Please remember, at this time of the year is the time of year that it all kind of shows out. Ladies and gentlemen, we can’t let that happen. We’ve got to get out and we’ve got to keep pushing. We’ve got to get these members; this has
got to be done all over the state. Now, if you’ll remember back in June, we got it passed where if District Commanders get a hundred percent, gets a hundred dollars. Now, we want to give that money away, so we need to get out there and make sure we start pushing these things. Make sure, because it only takes, you know, a couple of posts here, couple of posts there, couple of posts, and we can build these numbers up and we will get them going. We can get it done. Next is while you’re pushing the membership (inaudible), also make sure that you start on the Consolidated Post Report (CPR). That’s important. That’s what we get our clout from. And next week we’re going to Washington to speak to these people and we want to be able to tell them. I think we use last year’s numbers, right? Next year we want to be able to hit them with big numbers. So let’s get it done. I want you to get your hundred dollars, I want you to get $25.00 for CPR’s. And right now, anyway. But anyway, let’s go ahead and let’s get it done. I’m sorry.

Dept Membership Chairman Walton: That’s alright. And I concur, Commander. These are things that are very important to us all. Quickly on the fact with the VA right now, things are in process. We’re looking at hopefully breaking ground by the Fall for our Fisher House out here. I want to tell you all that since July I have personally helped 169 veterans. Whether it’s a veteran or their wife calling because their husband’s in the hospital and all of a sudden, they decide they need something with the VA, we all need to be working on that. If you don’t know, call, I’ll lead you through it, it’s very easy. Like I said, I don’t know it all but I do have enough resources where I get these people referred to. I’ve received calls from people out of Virginia, people out of Florida, somewhere they got my name. And like I said, we are a veteran’s organization, we’re supposed to be helping our fellow veterans. So in doing so, that will also that will also help us with our membership. Thank you, Commander.

Dept Cmdr Richardson: Thank you.

NEC Strauss: Commander, we’re supposed to have a report on delinquent posts by March 1st?

Department Membership Chairman Walton: The only one we’ve got is Lake City and we’ll be pulling the charter on that. Because we went down and met with them, and we had two people show up and they were both adamant about the fact they didn’t want it. So a decision was made that we would pull their charter.

NEC Strauss: Do we need to have a vote on that?

Dept Adj Diener: I’ll be covering that later, but I guess I can hit it right now. As Darlene said, back in January, we held a meeting at Lake City, we sent out postcards, we tried to get people there that we could and we had two former members of the post show up, of Post 73, and neither one of them were current members and we had more Department Officers there at the meeting then we had people show up at the meeting. And there was absolutely no interest in keeping the post going and so we’re now at the point I need to ask this body to approve pulling their charter. What will happen is at that point, first of all we will send it up to National and then all the current four members of the post will be sent letters, you know, if they’d like to transfer to another post. If they don’t, then they automatically get moved into Post 172. But this is one that Commander Gibbons has been working it for several years here, we did all the final steps, we’ve got all the blocks checked and I very confident that we’ve done absolutely everything we could do to try and get these post going and there’s just not the interest. So with that what I need is a motion to revoke the charter of the Lake City Post 73.

Vice Cmdr Poulos: So move. I make a motion that we revoke the charter.
Dept Cmdr Richardson: A motion has been made that we revoke the charter, do we have a second?

D-15 Cmdr Rumbaugh: I second that motion.

Dept Cmdr Richardson: A motion has been made and seconded. Do we have any discussion? Discussion? All in favor say aye, opposed? Motion carried. (The motion to revoke the charter of Lake City Post 73 was passed and so ordered.)

Dept Adj Diener: It’s one of those things, we don’t like to do that but it’s a necessary evil. Next, I want to give ya’ll a quick update on the Rifle Raffle, ok, a lot of discussions on it at the last meeting. Since that time, we have those weapons that FN Manufacturing could not provide, they gave us a refund for those weapons. We contacted and set it up with Palmetto State Armory (PSA), they provided us (inaudible) the weapons and actually basically we hit at the same cost so there was no change in the money. Everything is back on track, so far, we’ve actually drawn 33 weapons, of those 24 have been picked up. Of the nine that haven’t been picked up, five of them are still within their 60 days. We have two individuals that are having trouble on their background check so there’s nothing we can do on that. And then we have two individuals from the original FN Manufacturing, we have contacted them once, we have been trying to contact them, can’t get them to return calls so those are still old but we’re, you know, before we pull another name on that, we want to try and give them every opportunity given everything that’s gone on. So bottom line to the Rifle Raffle is, it’s back on track and everything is working very smoothly now at FN for picking up and at PSA for picking up. Ok, next thing on the agenda is the Code of Procedures, the Convention Code of Procedures, which everybody should have. I’m going to switch out here and I apologize in advance for my poor artwork. Ok. In a nutshell, what we’re looking at doing for this next convention, is we’re going to do this like the voting that’s going on now at different precincts except we don’t have voting machines. If you’ll remember down at the Marriott hotel, the area that we had with the reception last year, right across from the Lounge, the glassed-in room that’s right there. We have that room set aside and that will be our voting station. Ok, and what we will do, when you go into the little café, the sandwich shop, at that entrance, right outside that entrance will be right here. We’ll have two sign-in tables and it’s basically; you’ll walk up if you’re the Post Delegation Chairman and say I’m Nick Diener, show an ID that you’re who you are, ok? We hand you a packet that has your ballots in it.

D-5 Cmdr Smith: What are you going to use as an ID, if I may …?

Dept Adj Diener: A picture ID.

Dept Cmdr Richardson: A driver’s license.

Dept Adj Diener: Driver license, basically because your name tag from the credentials that we give out for the Convention, we can’t use that because we have known in several cases where people have passed that on to somebody else. And our folks at the desk do not, will not necessarily recognize everybody so it’s going to be show a picture ID. Ok?

D-18 Cmdr Pouncy: Are we going to send this information out so that the posts will know they have to have a picture ID?

Dept Adj Diener: Ok, so what will happen is that this Code of Procedures that we sent out to you all, once it’s approved, and that’s why we’re trying to get it approved now, is we will send a copy of that Code of Procedures out to every post, ok? On a separate mailing so they all get this well ahead of time.
and can make their plans on it. Ok? Alright, but basically, it’s you sign in, you get your ballots, you come inside, there will be tables set up so that four people can be voting at a time, four posts. Fill out your ballots, we’ll have two reviewers standing there, and again, the main thing that they’re going to be looking at when they review is if your post has 36 votes, did you match up. What we’re trying to eliminate there is any ballots getting thrown out. So it’s just a quick review of that. There’s going to be a cover sheet that that reviewer will pull off and set aside and that’s so that we have a secondary figure that we can check and go back against and to make sure we’ve got all the votes added up right. Once the reviewer’s done, we’ll have a ballot box, actually a box set up for every election, and the reviewer will hand them back their actual ballots, they go put them in the box, they exit the room and go back into the convention. Ok. We’ll have the three tabulators out here, we now have three laptop computers so they’ll all three have the exact same excel spreadsheet on there that we’ve worked up and as they’re tabulating they can be checking their balances and making sure they’re all in agreement on their votes. We’ll also be going back and based off the sign-in, we’ll have a count of how many people came in to vote so we’ll be able to get a number there. We’ll be able to get a check number off the reviewer sheets and the three tabulators, ok? So we should have plenty of checks and balances to go along with it, ok? And if it’s approved, we’ve already asked John Britt to be in charge, ok, of the overall thing because one of the reasons that John is not here today is because he’s running a precinct, a voting precinct. So he understands, you know, the reason to, all the rational for keeping everything together. What this will require by doing this and what we’re looking at doing in there, is starting the voting on Saturday morning. To run it from 7:30 to 9:30.

(someone asked PM?)

Dept Adj Diener: AM. Ok? What that will encompass is the additional nominations for offices we will do on Friday night as before we close up for business on Friday night. That will allow for us to make any adjustments that need to be made off of those nominations. Anybody that is nominated from the floor, although we will not have time to get their name typed in on the ballot at the voting tables any additional candidates, we will have a sheet of paper on the table that shows the additional names.

D-11 Cmdr Lonergan: But that is only if the candidate does not get a majority of the vote to go, to move up?

Dept Adj Diener: No, no. Again, we’re talking Friday night There can be additional nominations for Alt NEC, Historian and 4th Vice, ok?

D-11 Cmdr Lonergan: Ok.

Dept Adj Diener; But if somebody does get nominated from the floor there, we’ll put their name on a sheet so that the voters have it in front of them.

Alt NEC Scherer: How will they write their name in?

Dept Adj Diener: There’s a blank, if you look on there, there’s a blank on there, you’ll have to write their name because there could be more than one. That’s why all the ballots will have a spot for that.

D-16 Cmdr Defrehn: So you’re going to take nominations from the floor on Friday?

Dept Adj Diener: Friday evening.

D-16 Cmdr Defrehn: Prior to the voting.
Dept Adj Diener: Yeh.

D-14 Cmdr Brandt: On the voting time, can we change that to 10:00 ending? A lot of people are driving in at that time.

Dept Adj Diener: Then they’re already late for the convention. If they want to vote, I guess my way of looking at is, if they want to vote, if they can’t be there for the gavel going down at the convention, then they’re already late for voting. We have a provision in there if something, if there’s a huge traffic accident or something like that that’s got everybody coming late, we have a provision that John Britt, the Commander and myself that we can extend the hours but it’s basically going to be everybody needs to be there. The convention gavel’s going to go down at 9:00 for the convention to open and we’re keeping the polls open until 9:30. Because again, if you expand it and change it to 10:00. What about the person that gets there at 10:30, what about 11:00 and then, there’s no good way to do that.

NEC Strauss: How does it work with the Past Department Commanders? The Posts that have PDCs?

Dept Adj Diener: Good question. With the PDC’s, because one we’ve got to follow the Constitution, I had to make a change in this before I sent it out to you all, the PDC’s will need to come through the line with their post Chairman, ok? At that point, they will sign in just as well, because we have to make sure that they’re present, they will be given separate ballots. The PDC’s and their Chairman will fill out their ballots together and turn them in together to the reviewer. But it will be an actually separate ballot that they’ll fill out, ok? I initially had it that the PDC’s could just show up and do it whenever they want to. But the Constitution says PDC’s have to cast their ballots with their post so. The one, I guess, way that we can avoid, what I’m hoping is the tabulators will have figures available before noon on Saturday. Ok because what we’re going to need to know, ok, are they’re going to need to be any run-off elections. And right now as of this morning, there are four candidates for fourth vice and three candidates for historian. Chances are there’s going to be run-off, ok? Once we know those results though, we will announce those, then break for lunch and have the polls open back up after lunch. And that gives our poll workers time. In all our preparations, we are just planning that there will need to be a runoff election.

In the likelihood that one of the Vice Cmdrs would not get a majority to move forward….

NEC Strauss: Is a majority or simple majority?

Dept Adj Diener: Simple majority

NEC Strauss: You don’t need a run-off; the highest vote would get it.

Dept Adj Diener: No.

NEC Strauss: That’s a majority.

Dept Adj Diener: You have a majority of the delegates present.

NEC: A simple majority would be highest.

Dept Adj Diener: No, it’s a majority of the delegates present. So you have to get to 51 or 50 plus one. In the event that one of the Vice Cmdrs does not move up, or did not get the yes or no, ok, then the first
thing after lunch before those polls open back up or before we break for lunch, we would have to open up the floor for additional nominations.

D-16 Cmdr Defrehn: Not prior, not Friday?

Dept Adj Diener: No, well, Friday night you can’t do it. So we would have to open it up there but that’s also at the point that we would also, hopefully, if there’s like for 4th vice and there’s four candidates and one of them only gets a small fraction of the vote, hopefully they will agree to drop out. Ok, we can’t force them to drop out but hopefully we can get them to agree to drop out. And then that way, and then again, we will announce the polls will be open for the period of time there and that’s going to depend on how many run-off’s we have so we’ll have to make a decision on the time and the convention will continue on. It’s just the chairmen will go out and do their voting.

NEC Strauss: I just want to, the definition of a simple majority is a majority of the highest number of votes cast for any one candidate, issue or item which exceeds the second-highest number, while not constituting an absolute majority.

Dept Adj Diener: The Constitution says, it doesn’t say simple majority, the Constitution says…

NEC Strauss: That’s what I was asking.

Dept Adj Diener: That’s what, and I’ll re-phrase that. The Constitution says a majority of the delegates.

Vice Cmdr Price: Ok, so it’s not a simple majority?

Dept Adj Diener: So it’s not a simple majority. Ok?

D-3 Cmdr Lewis: So who will be the tabulators? Will it be us?

Dept Adj Diener: Yes, it will be, and Commander Richardson is already looking at names, first of all we’ve got to get approval to do it, ok, but they will be appointed by the Dept Commander.

Dept Cmdr Richardson: And we’re working all over the state, with people from everywhere. That know how to use computers.

D-3 Cmdr Lewis: Legionnaires, or non?

Dept Adj Diener: Legionnaires. This is going to require a lot of volunteers; you’re talking about three people out here for the sign-ins. Three for working it and one to be an alternate in case somebody has to use the facilities. Three people here, three tabulators, and the person that’s in charge, so we’re talking quite a bit of folks, but you know. One of the things, what would literally have to happen for somebody to do anything inappropriate, is you’re going to have to get three tabulators plus the chairman who has to sign off on it to all agree to do something, ok? And again, that ain’t going to happen.

PDC Lysaght: You said the Constitution requires a majority vote but in the Code of Procedures that you have revamped and you’re going to have to vote on, it says simple majority. Page 13.

Dept Adj Diener: Ok, that’s why we’re doing this.
PDC Lysaght: Nick, if I may just add to that, the reflection of that statement is contradictory again because it says “if an announced officer does not receive a simple majority vote of certified delegates to ascent to the next higher office, then nominations will be opened to the floor”

Dept Adj Diener: It does not say a simple majority, it says that officer...

D-5 Cmdr Smith: It says if an announced officer does not receive a simple majority vote.

Dept Adj Diener; Ok, I changed it down below. That needs to be changed to a majority vote.

PDC Lysaght: Do we have an amendment that’s going to be changing the Constitution?

Dept Adj Diener: No, the Constitution, the Constitution says a majority.

PDC Hawk: Read your Constitution.

PDC Lysaght: Read the Constitution.

NEC Strauss: “A simple majority vote of the certified delegates eligible to vote will elect the following officers at the annual convention.” That’s from our Constitution and Bylaws.

Dept Adj Diener: My only question to ya’ll and I may have made a mistake. My only question to you all, you’ve had this for two weeks, why didn’t somebody bring something up?

NEC Strauss: I just brought it up when I heard somebody say that.

Dept Adj Diener; Then we will have to change it to a simple majority.

(Background discussion ensued while Department Adjutant Diener looked up the definition of Simple Majority from Robert’s Rules of Order.)

Dept Adj Diener: Ok, alright, I will need to revise that some. (Reading from Oxford dictionary online excerpt) The definition of a simple majority is a majority of the highest number of votes cast for any one candidate, issue or item, exceeds the second-highest number, while not constituting an absolute majority. The Constitution says simple majority.

Dept Cmdr Richardson: What’s going to happen if we have four candidates?

Dept Adj Diener: The one with the highest number of votes wins.

Dept Cmdr Richardson: That’s a plurality, that’s not a majority.

Dept Adj Diener: It’s a simple majority.

Vice Cmdr Kvam: It’s a simple majority.

NEC Strauss: It’s a simple majority.

Dept Cmdr Richardson: So a plurality and a simple majority are the same thing? Ok, I can deal with that. I’ve got no problem with that whatsoever.
PDC Hawk: Commander, go to that same paragraph, 2b. If you go down to where it says, “The Officer did not receive a majority vote”, we’ll have to change that, that will have to come out.

Dept Adj Diener: Again, that portion where that’s in there is a yes or no vote. One of them by definition will be a majority. But we will need to revise, I’ll need to go through everything all the way through here and make sure there’s not anywhere it says on voting, I’ll make sure everything says simple majority. That does make it easier, the run-off elections are no more. The only way that would be if one of the Vice Cmdrs would not receive 50% to move up, a majority of the votes to say yes for them to move up, then we would have to open the floor up for nominations. We would have to do another election. And if we happen to have two people that tie. Ok?

Dept Cmdr Richardson: Does everybody understand?

Dept Adj Diener: That actually alleviates one of my biggest concerns is doing this over and over again, especially when we have four candidates.

D-14 Cmdr Brandt: In other words, if the Vice Cmdr’s don’t get 50% of the delegates, we have to have a run-off?

Dept Adj Diener: Remember, for the Vice Cmdrs ascending, until that yes or no vote has been taken, nobody else can say I’m running for Cmdr, I’m running for First Vice. If they receive a no vote to ascend, ok? Then the floor is up for an election. Now, that Vice Cmdr can still go ahead and run again, ok? But then other people can run as well and there would be an election.

PDC Lysaght: Since we’re talking about the COP, how are you going to handle the amendments that come in on Friday. For example what you’re talking about could be impacted. I don’t know that it will be, I’m just saying it could be. What I’m asking is are you going to prioritize the order in which these amendments are dealt with?

Dept Adj Diener: Ok, looking at these amendments, because I can tell you right now there is one amendment that has been submitted by a post to do away with the ascension. Ok? One of the reasons that we’re doing the nominations the last thing on Friday night is, I have to be prepared for if that amendment passes, I have to do the ballots, the ballots all have to be different for the next day and we would have to open it up for nominations that night for all of those. We will have, just because that one is sitting in there. We will have two sets of ballots already prepared for the next day because I won’t have time to readjust ballots. So any amendments that come in that are going to affect the voting procedures, I have to have ballots ready for whichever way those amendments go. And we’ll already have two boxes set aside.

PDC Lysaght: Nick, won’t you also have to make an appeal Saturday for nominations as well?

Dept Adj Diener: No, I’ll do it Friday night?

PDC Lysaght: Friday night there’s not going to be the full force of the convention. Friday night is going to be those people that can come. Saturday is when you’re going to see the full force.

Dept Adj Diener: Then somebody from their post needs to come and be there on Friday.

PDC Lysaght: So whenever you get nominated on Friday....
Dept Adj Diener: That’s it.

PDC Lysaght: That’s it. Saturday…

Dept Adj Diener: The only way Saturday was if there has to be a run-off election. There will be no more nominations on Saturday morning unless after the results there is a run-off election for some reason.

D-16 Cmdr Defrehn: If Friday we change this, say, the ascension gets approved. The delegates, you’re going to have a majority of people there, the voters, the majority of blue caps and things Saturday, ok? When will we notify them?

Dept Adj Diener: I will tell them on Friday night. Ok?

D-16 Cmdr Defrehn: So they need to be there Friday.

Dept Adj Diener: They will need to be there Friday. When the results of the caucuses are done. It’s either that or we can’t, we can’t start elections until Saturday morning, and we might as well go back to the old way of doing it because we’re going to be there all day, so you know? So we will wait, we will hear the results of the amendments, of the caucus’s, we will announce those results to the body on the convention floor, if one of those affect the elections, we will announce that, explain it, ok? We’ll probably then go over what’s going to happen the next day but then if that does cause a need for additional offices to be nominated, we will add that to the nomination procedure. So it’s going to be important that the post has somebody there on Friday.

D-16 Defrehn: And if not then we have to get the word out to the posts. About 7:30 Saturday.

Dept Adj Diener: That’s why they’re all going to have these ahead of time, I want to get it out to them as fast as I can.

D-9 Cmdr Sweet: That person has to be the delegated chairman, is that correct?

Dept Adj Diener: The person that votes?

D-9 Cmdr Sweet: The person that’s there on Friday.

Dept Cmdr Richardson: No, delegate can make a nomination.

Dept Adj Diener: Yeh, anybody can make a nomination, you can stand up and nominate yourself. It doesn’t require anybody to nominate you.

Vice Cmdr Poulos: The people that are going to be there on Friday, they are your delegates from each of your posts. They are paid delegates; they are your boots on the ground. So someone that is going to be there from each of your posts, and you can pass this around if you want to, someone that is going to be there on Friday should be the Delegate Chairman and then you already have them there or have their knowledge for Saturday morning. It just seems to reason if you’re paying for them and they’re going to be there to vote in the caucus to do these votes or not, then they should be the one that has to pick up your packet and pick up your delegate forms have to be the Chairman or the Secretary anyway. So they’re already checked in, they’re already there. They will be there all day Friday so I don’t know what
this moot back and forth about Saturday morning is really all about. Because somebody, if you’re going to be there to vote, you’re going to be there to vote.

Dept Adj Diener: What I would ask at this point, because we do have to make one adjustment on it, what would I ask so we can get it out is you all approve this code of procedures with any, with changing and making simple majority throughout the (inaudible).

D-5 Cmdr Smith: That’s the only change.

D-10 Sinclair: Would you re-define that for the record again? A simple majority.

Dept Adj Diener: A simple majority is whoever gets the highest number of votes.

D-5 Cmdr Smith: Regardless.

NEC Strauss: A simple majority is a majority of the highest number of votes cast for any one candidate, issue or item, exceeds the second-highest number, while not constituting an absolute majority. An absolute majority would be 50% plus one, a simple majority might be able to win with 39%.

Dept Adj Diener: If you have four people running for vice cmdr, ok, and one gets 26 votes, one gets 24, and the other two get 25, guess what, person that gets 26 elected.

D-10 Cmdr Sinclair: There’s no definition from Robert’s Rules?

Dept Adj Diener: Yes.

D-3 Cmdr Lewis: I make a motion we accept it with the updated change, simple majority.

D-6 Cmdr Simpson: Second.

Dept Cmdr Richardson: A motion has been made and seconded that we accept the Uniform Code of Procedures as presented by Adjutant Diener with the proviso that he can go in and change all to simple majority. Is there any further discussion? Seeing no discussion, all in favor say aye? Opposed? (all present voted in favor of making the change, none opposed). Alright, Roberta?

Vice Cmdr Poulos: We’re going to be going through the changes that we are submitting through the DEC. There are nine of them, I would ask, I see two members of the committee, would you come over here and stand with me? We only were given page one, so I can’t tell you the number of the amendments, I can’t tell you…

Dept Adj Diener: They don’t have a number yet; they don’t get logged in until this body approves it.

Vice Cmdr Poulos: I thought you always had to have a number and then you can skip a number, ok. The first one that I’m going to go over with you, and still back me up guys if there’s anything that I’m not doing. The National Hdqtrs, this is the one that’s on per capita. Since they’re not numbered, you’re going in whatever order I have, and this was…

Dept Adj Diener: Roberta, I would read it just by the Article number.
Vice Cmdr Poulos: Where is the number? I don’t have one. Alright, this is Article II, Section 1 (Bylaws) this is on our dues, to clarify, and I’m going to just read the stuff in dark. “Per member capita shall be put into Department savings account and/or interest driven account that would benefit the department financially for the future of the Department Adjutant and 2/3rds of the Department Finance Committee and 2/3rds majority of the Department Executive Committee, the $2.00 contribution to the savings and/or interest bearing account and can be suspended for one year only.” So this is the suspension of the $2.00. This is just to clarify that.

PDC Lysaght: It’s a guideline.

Vice Cmdr Poulos. A guideline, right.

PDC Lysaght: It’s a guideline if we determine, and I say we, being the DEC, determines to reallocate money and then this is how it would be done.

Vice Cmdr Poulos: And then there’s still a little bit more of it. The National Organization raises it’s per member capita to the Department, that the Department will automatically raise the National Organization’s portion accordingly. If the National headquarters raises its per capita before the Department of South Carolina bylaws can be changed, the Department Adjutant with the approval of the Department Executive Committee is authorized to begin collecting this increase until the Department of South Carolina bylaws can be amended.

PDC Hawk: Did you go over raise the Department to $34.00?

Vice Cmdr Poulos: Yes, the Department $34.00, the bold stuff, $34.00, and then $18.50. That’s in bold on the bottom and in the explanation, the proposal.

NEC Strauss: I’d like to make a motion that the DEC approve this amendment going forward.

D-14 Cmdr Brandt: I second.

Dept Cmdr Richardson: A motion has been made by NEC Strauss and seconded by D-14 Cmdr Brandt that this amendment be approved, any discussion? Seeing no discussion, all in favor say aye, opposed? That cleared up a big mess. (all present voted in favor of approving the amendment to Article II of the Bylaws and forwarding it to the Department Convention.)

Vice Cmdr Poulos: The second one we’re going to go over today is the current one is in our Preamble, there is only a one-word change. The wording will be ALL wars. I can’t make the motion; it has to come from you.

D-15 Cmdr Rumbaugh: I make the motion to change it to ALL wars.

D-14 Cmdr Brandt: Second.

Dept Cmdr Richardson: The motion’s been made and seconded that we accept the change to ALL wars. Any discussion? All in favor say aye, opposed? (all present voted in favor of changing the wording in the Department Preamble to ALL wars).

Vice Cmdr Poulos: The next one is Article III (Bylaws), Section 5, there’s four pages to this one, hopefully you were able to get them and read them. I’m going to read the parts that are in bold and then
I will go to the explanation. On page one of four, there is nothing that needs to be changed, this is all clarification I believe, page two is the same, page three has some, what you have written in bold to “immediately after the close of the Department fiscal year” for this report, and then on page four of four in bold is no later than the “Fall” Conference. So it’s giving to the Convention to the Fall Conference.

“The explanation is the yearly audit is conducted at the end of the fiscal year. This brings the bylaws in line with the end of the fiscal year for the Adjutant to make his report to the DEC after the audit has been completed. Since there is no longer a mid-winter/spring conference, this changes the requirement to the fall conference for the suggested program of speakers and entertainers for the next Department Convention.”

So this is just clarifying that we have to report form the convention and we don’t have the next thing to give it to you before the Fall Conference.

Vice Cmdr Price: I make a motion we accept the change.

D-15 Cmdr Rumbaugh: I second it.

Dept Cmdr Richardson: A motion has been made by Ron and seconded by Jamie that we accept the change, any discussion?

NEC Strauss: Is the Fall Conference too soon of a date, I’m asking because the Adjutant would know the answer, to have almost seven months out an agenda ready for the summer convention.

Dept Adj Diener: Well, I mean, we could certainly put an initial plan on it, I mean it would be a tentative plan and it would have to be a living document.

NEC Strauss: It does say suggested.

Vice Cmdr Poulos: The word suggested is correct.

Dept Adj Diener: I don’t have any problem with it. The main change in this, to me, is changing the audit period.

NEC Strauss: Yes.

Dept Adj Diener: Because currently the constitution says I’m supposed to wait until after the convention to request an audit and I’ve got to request that audit in January.

NEC Strauss: Ok. I’m satisfied.

Dept Cmdr Richardson: Any further discussion? Hearing no discussion, all in favor say aye, opposed? Go. (all present voted in favor of the amendment to Article III, Section 5 of the Bylaws)

Vice Cmdr Poulos: Ok, Article V. You go down to the proposal, how it’s currently written and how it’s proposed in bold print is “thirty days prior to the opening of the Department Convention.” The explanation of this is “Administration mandates are that the delegate count of each Post be determined by the post membership totals (30) days prior to the Department Convention” It’s giving us a timeline in concrete. So can we hear a motion to accept this one?
D-14 Cmdr Brandt: I make a motion to accept.

D-6 Cmdr Simpson: Second.

Dept Cmdr Richardson: A motion has been made and seconded to accept this motion. Any discussion? Seeing no discussion, all in favor say aye, opposed? (All present voted in favor of the amendment to Article V, Section 5 of the Bylaws).

Vice Cmdr Poulos: Now, we’re going to Article X, Section 5. It’s currently written. The proposed is to correct a grammatical error. In the original it says my. And should be may. That’s the only change in this one that’s bringing us up to date.

NEC Strauss: I’d like to make a motion that we approve this Bylaws change moving forward to the convention.

Dept Cmdr Richardson: A motion’s been made; do we have a second?

D-16 Cmdr Defrehn: Second.

Dept Cmdr Richardson: A motion’s been made and seconded, any discussion? Hearing no discussion, all in favor say aye? Opposed? (all present voted in favor of the amendment to Article X, Section 5 of the Bylaws).

Vice Cmdr Poulos: Article IV, Meetings. It’s currently written, here is the, the bold print, the proposed is “One Hundred Twenty (120) days after the conclusion of the annual Department Convention it shall be the duty of the Department Executive Committee to attend this meeting/conference” This change will allow additional time for the Executive Committee to schedule and arrange said meeting/conference. It’s extending from 30 days after the convention, once you’re sworn in. Each year you’re actually sworn in as a District Commander. This is giving you, instead of 30 days to have that first meeting, you’d get 120. No later than.

D-16 Cmdr Defrehn: I make a motion we accept the change.

Dept Cmdr Richardson: A motion’s been made; do we have a second.

D-14 Cmdr Brandt: I second it.

Dept Cmdr Richardson: A motion’s been made and seconded, do we have any discussion?

NEC Strauss: I’m going to vote against this and the reason why that is, is because I don’t like the language in it that says it shall be the duty of the Department Executive Committee to attend this meeting. I like the other stuff (inaudible) but it shall be the duty, you know, if you have National obligations, if Roberta has a National obligation to attend a meeting at National Hdqtrs, she’s bound the word shall. I think it should say should. Shall is mandatory, should is recommended. She would have an obligation to go the Fall meetings over Department matters because she’s on a National appointment. Also if there’s a person that’s up in the hospital, we’d have to cart them out of the hospital because this says shall. Should without a likely excuse. I think that’s just poor wording, you know, I would recommend changing that word but. We’re trying to get rid of poor language in this, by putting shall in there, I don’t think that’s a good idea.
Dept Adj Diener: I understand where you’re coming from. The only thing I would say on that is the problem you have with it, is if you say should, ok? Then any excuse is acceptable to not go. Because now you’re down to what’s an acceptable excuse to you is not necessarily to me but so you might as well not put anything in there because people would come if they want to come or not come.

D-15 Cmdr Rumbaugh: Correct me if I’m wrong but the State Commander can excuse us if it’s justifiable.

Dept Adj Diener: He has no authority to do that.

Dept Cmdr Richardson: No. Not unless it says it in the Bylaws.

PDC Hawk: The Committee was looking at it’s still up to the Adjutant and the Commander to set the date. So they get a National calendar to look at proposed meetings, like Mike’s talking about, if the Commander and Adjutant has to be at National functions or Department functions, so they work that date around it. And shall be the responsibility of this body to attend that meeting because you’re laying the foundation, groundwork for the coming year. It’s not to exceed a hundred and twenty days. It could be July the 15th. It gives leeway after the Department Convention, upcoming membership workshop, National Convention etc, to get it done.

Dept Cmdr Richardson: Any further discussion? Seeing none, all in favor say aye, opposed? Nays raise your hand? Two. Motion’s passed. (all present voted in favor of the amendment to Article IV, Section 1 of the Bylaws, with the exception of two who voted no).

Vice Cmdr Poulos: Article V of the Bylaws is your next one. Currently there are chairman of Sub-committees, c & d. Proposal is to eliminate sub-section c & d from section 6.

Explanation, Subsections c & d are outdated subsections. Subsections a & b will remain in place. All of you have been going over your constitution lately. I know this because I’ve been at a lot of your meetings, so this is something that is just clearing this up.

D-14 Cmdr Brandt: I make a motion to accept.

D-5 Smith: I second the motion to accept.

Dept Cmdr Richardson: A motion’s been made and seconded that we accept this amendment. All in favor say aye? Opposed? Passed. (all present voted in favor of the amendment to Article V, Section 6 of the Bylaws).

Vice Cmdr Poulos: Article VII of the Bylaws, Section 3, this is under Discipline. Currently there’s just a little short sentence. Proposed, the trial is still in there, that sentence is still in there. “The trial of a member shall be held before the Executive Committee of the Post, the Commander presiding and he or she shall be the sole judge of the admissibility of evidence provided the Post Commander is not the individual brought up on charges/causes. In this event the Post 1st Vice Cmdr followed by the Post Judge Advocate should preside over the meeting. The Post Adjutant will be the secretary and record all proceedings for the record.” The explanation is in the event of a trial at the post level, this amendment will give the order of succession for presiding officers.

NEC Strauss: Mr. Commander, I would like to make a motion that we reject this resolution and send it back to the Committee for further study. And the reason why that is, is because of the
Officers Guide. The Officer’s Guide lays out the….it’s a National publication, as you all know. The Officer’s guide sets out the parameters of how a trial will take place. And in the Officers Guide it says “the Post Judge Advocate shall preside at the trial and shall have the power and the authority of the materiality and relevancy of all the evidence presented. And shall have the general power to prescribe the necessary reasonable rules of regulations of the orderly procedure of said trial.” So basically, it’s saying that our Constitution was wrong, and the proposed amendment is going to be wrong according to what the Officers Guide would be. So I would suggest, you know, that it does be sent back to the committee for further study. If it’s wrong, it’s wrong, we just need to get the wording correct. Both the Officer’s Guide and the National Constitution, look at that and let’s get the wording correct, that way we don’t have conflict with the National book and our Constitution. We already have enough nightmare stuff in there, we don’t need to create something else so that’s my recommendation.

Dept Cmdr Richardson: A motion’s been made to reject this amendment. Do I have a second?

D-16 Cmdr Defrehn: I second.

NEC Strauss: And send it back for further study.

Dept Cmdr Richardson: A motion’s been made and seconded to send this amendment back to the committee for further study. Is there any further discussion?

D-15 Cmdr Rumbaugh: What happens if a post doesn’t have a Judge Advocate? That’s a guide, that’s not a rule, it’s a guide. So we should make our constitution amendment (inaudible), the rule. Because using the Officer Guide, it’s a guide, it’s not a rule.

PDC Hawk: If it’s voted by the body to send it back to the committee for further study, when is that further study going to take place? And when do we present it back to the body?

PDC Lysaght: What’s the second cut-off?

Dept Cmdr Richardson: Next year?

PDC Lysaght: The next scheduled meeting of the Constitution and Bylaws committee is the 16th of March. There’s no way we can get it all done and get it back. I agree with Mike, that book is prepared by National for distribution to be in compliance so, it’s like so many things that we all know in the constitution were wrong, with grammar to verbiage and anything else, we’re just trying to clean it up. But I think to do this justice it should be carried over to next year, I thoroughly agree with that.

NEC Strauss: I would just like to say I think the intent was good. I think what the committee was trying to do was to make it so that the commander can’t preside if he was the person charged in the offense, he can’t preside over his own trial or if the Judge Advocate was the one charged, he not be the one presiding over his own trial and I think that the intent was there to make it so that it was a fair trial not to have the crony system in place where those people could run their own trial. You know, I think it needs to be sent back for further study.

D-5 Cmdr Smith: You brought up the manual, that that’s supposed to be the rules but I’ve seen many other posts that do not follow that and like my fellow colleague said, there’s a lot of posts that don’t have Judge Advocates. They do need some kind of a guide that if the post commander is the one being charged, that they can go with. So that’s all this is doing, is giving a simple guide. But I understand about when you’re talking about as far as the manual. And I’ve tried that. But again, going to all my
posts so far, I haven’t seen one of them follow the guide to the letter. It’s only a guide and every post commander, each post is allowed to run its post, we’re not supposed to interfere, ok? And you’re kind of dictating a little bit. Now, they have to have a Judge Advocate. And I have some post can’t even have but one vice commander, ok?

D-16 Cmdr Defrehn: I go to a lot of my posts too. And like you say, interfere, understandable. The posts run themselves, they deal with themselves. But if I’m sitting in a meeting and the post is doing something against the Constitution, I believe it’s for me as a District Cmdr to speak to the Post and make them aware of it.

D-14 Cmdr Brandt: I had a problem with one of the officers and I had a District Commander come and preside over the hearing.

Dept Cmdr Richardson: Any further discussion? Seeing no discussion, we have a motion to reject the amendment and send it back to the committee for further study, made and seconded. All in favor of the motion to reject? (voice vote unable to determine the vote.) Alright, raise hands. If you are in favor of the motion to reject the motion, raise your hands. All nays, all in favor not to reject, raise your hand. Motion carries by a vote of 11 to 9. The amendment will be sent back to the committee. (Amendment to Article VII, Bylaws, Section 3, Discipline, will be sent back to the committee for further study.)

Vice Cmdr Poulos: Ok. Article VII of the Bylaws, Discipline. I will read again the in bold and the explanation. The bold says “in writing within sixty (60) days to the Department Executive Committee.” This amendment will define the timeline for each member that has been suspended or expelled to appeal. This is giving them a finality to that instead of keeping it going.

D-15 Cmdr Rumbaugh: I make a motion that we accept the amendment.

D-16 Cmdr Defrehn: I second it.

Dept Cmdr Richardson: A motion’s been made and seconded that we accept the amendment. No discussion? All in favor say aye? Opposed? Carried. (all present voted in favor to approve the amendment to Article VII, Bylaws, Section 4.)

Dept Cmdr Richardson: Alright, Commander Rucker?

Vice Cmdr Rucker: Good morning. We had an opportunity come before the Department from the Columbia Fireflies Baseball. And I’ve handed out the sheet so you can read it but basically, they want to have an American Legion Family night. And one of their requirements to do that is that we had to sell, we had to agree to sell at least 100 tickets. Well, I’m standing before you and right now we’ve sold 137 tickets, we don’t have to sign a contract. So we have 100, for this seating arrangements, we have about a hundred more tickets left. And I want to commend all the Riders and the different groups from Rock Hill to North Augusta, here in Columbia and all the ones that helped me put this together. So what’s going to happen on that night, we’re going to have fireworks, we’re going to be recognized on the field and the Riders will actually be able to take their motorcycles out onto the playing field for the National Anthem. We’re going to be, as far as the Legion, we’re going to be recognized, we’re going to be sitting in one section at that time and it’s only $10.00. So I encourage you to please come out and support this. And also, you’ll get a free cap and if you want a firefly pin you add $3.50 to it, if you want a hot dog and a drink, add $5.00 to it. So each ticket’s $10.00, if you’ll get with me, if you want to place
an order from your post, let me know. I’ve had some posts that have as many as 30 tickets, I’ve had some as few as one. Any questions? May 23rd, 6:05. And I would like for ya’ll to back me on this.

**NEC Strauss:** I would like to make a motion that we back The American Legion Family night with the Fireflies.

**Vice Cmdr Poulos:** Second.

**Dept Cmdr Richardson:** We have a motion and a second that we back The American Legion Family night with the Fireflies. All in favor say aye. Whoa, back up. Discussion?

D-11 Cmdr Lonergan: I think it’s a great idea that we do this but that’s Memorial Day weekend and I can tell you that three of my nine posts have a baseball tournament that weekend and I know of other posts that are going to be in that baseball tournament that weekend as well. So, that’s the opening, it’s a great idea, but bad weekend. That’s the first week of baseball for a lot of games, it’s a great idea but (inaudible).

D-5 Cmdr Smith: When you say make a motion to back this, how are we backing it?

**Dept Cmdr Richardson:** Support.

**Vice Cmdr Rucker:** Just support.

**Alt NEC Scherer:** Just approve it.

**Dept Adj Diener:** To approve it as a Department event.

**Dept Cmdr Richardson:** Alright, do we have any other discussion? Seeing no other discussion, all in favor say aye, opposed? Motion carries. (All present approved the motion to back The American Legion Family night with the Fireflies.) Commander, congratulations on a lot of hard work. And just to let you know, Columbia Fireflies came to us to do it, we didn’t go to them. Ok, Social Media?

D-3 Cmdr Lewis: I’m not going to get my hand smacked today?

**Dept Cmdr Richardson:** Be short and sweet.

D-3 Cmdr Lewis: Hey guys, I hope everybody’s watched the podcasts. Jack did a wonderful job; we have got some good comments back on his hosting so hopefully you’re sharing those with your posts. If you guys me need me to put anything out, get it to me, the end.

**Dept Cmdr Richardson:** Commander Strauss, give us an update on the Foundation, please?

**NEC Strauss:** Yes, so The American Legion Past Department Commander Council met about the Foundation. We have got a copy of the Department of Texas Foundation and we decided to use it as a guideline for our Foundation. We do have a tax number for the Foundation and everything and everything is pretty much set in place. So we’re basically changing a lot of the language from the Department of Texas to the Department of South Carolina. So the document is in the works, once we have it. Once we have it to change the language to fit our State, we should have a working document we can kind of pick apart as a committee the next time, so I think it’s still on track.
Dept Cmdr Richardson: Just to let you know about this Foundation. This Foundation has been on the books for a long time and I want to commend and thank the PDC’s for the work they’ve done on it. This could be a major, understand, a major step to secure the finances of this Department. If you would please, tell the PDC’s thank you very much.

NEC Strauss: Thank you, Commander.

Dept Cmdr Richardson: Mr. Adjutant?

Dept Adj Diener: Ok, I have just have quick updates. We’ve already covered Lake City Post 73. Our rental property, the last time we talked about it, the Auxiliary had left. I want to give you an update. We now have that area painted, the walls have been fixed, a contract is signed with the realtor, now we’re doing a few little things down there but it’s mainly a deal of finding somebody to sign a new lease. Without going into the details here to keep it short and sweet, but the Baseball portion, the grey portion, there is what I think is a very good chance that is going to become vacant because they are behind and we have already sent them a letter that they have 30 days to catch up on their rent or you’re gone. Ok? And that is currently in the works, but I don’t have a good warm fuzzy that is going to happen. The good news is the realtor has said that building is going to be easier to rent out than the Auxiliary building. So that’s kind of where we’re at on that.

On the Convention and Fall Conferences, again, last meeting I talked to you somewhere we’re at on contracts on that. We have received some figures back from the Convention Center where we’ve started looking at that, we do not have things back from the Doubletree yet. But for the Convention Center, it’s not looking any good than the Marriott. Right now what we’ve just gotten back from them, to hold the Convention, that’s what we’re talking about here, we’re talking close to $17,000.00 and that’s before we add in any food. So it’s going to be up there, theirs is amazing, if you want a small trash can in an area, they charge you $10.00. So theirs is…a big thing. That’s what we say, that’s not even food.

D-11 Cmdr: How much would they charge us if we just put our trash on the floor? (laughter).

Dept Adj Diener: Good point. The other thing that they throw in there. Even though they say there’s free parking, that’s unless there’s an event going on over at the one of the other places and then it’s closed off and you have to pay for parking. And doing it this far out we wouldn’t know that for sure. We’re still looking at that but that’s just to give you an update on that. For our Fall Conference, we also got back from them on our Fall Conference. To use the Convention Center, we would be talking with food, about $19,000.00. Which is more expensive than doing it at the Marriott. But even doing it up the Marriott it’s going to end up costing us $11,000.00 or $12,000.00 to put on the Fall Conference. The point that we’re at now, at least in my opinion, we need to step back and look at the way we’re doing Fall Conference. Is that cost worth the benefit that we get out of it? Is there a way to split it up into different meetings? I mean, there’s lots of ways to looking at that. And what I’m asking the Commander to do is to establish a working group of myself, the four vice Commanders since their future years are going to hit into that, myself and the Finance Committee Chairman and look at that and see if there’s a better way to do Fall Conference.

Dept Cmdr Richardson: That being said, I’d like to form an ad-hoc Committee, a working group, the Adjutant, the Finance Committee and the four vice Commanders, to explore the feasibility of changing our Fall Conference.

Dept Adj Diener: The Finance chairman.
Dept Cmdr Richardson: Just the Finance Chairman, not the committee.

D-16 Cmdr Defrehn: I make a motion to approve.

D-15 Cmdr Rumbaugh: Second.

Dept Cmdr Richardson: I have a motion and a second to form a working task force made up the Adjutant, Finance Chairman and Vice Commanders. Any discussion?

D-11 Cmdr Lonergan: Will others be able to sit in on these meetings as well?

Dept Cmdr Richardson: All in favor say aye? Opposed? Carried (all present voted in favor of the Commander forming an ad-hoc working group, task force to study the feasibility of changing the Fall Conference).

Dept Adj Diener: Ok, the last piece that I have, as you all know our National Commander will be coming to visit our state, he will be arriving tomorrow morning. So I’m going to give you some highlights very quickly of it. Tomorrow afternoon at 2:30 we’re going to be bringing him to this building and giving him a briefing of what we’re doing, an overview of the Department. Any of you all that would like to attend that meeting, you are certainly welcome to attend. There will only be so many of us sitting at the table but there will be chairs around the room. If you do decide to come to that, we need you to be here by 2:15 so you will be in place by the time the National Commander gets here. After that we’ll be leaving around 3:30 and going to Lexington Post 217 for dinner.

On Monday we’re going to be taking the National Commander down to Parris Island. Commander Poulos has set up a tour down there, they’re going to take us through, and we’ll be there most of the day. And then we will go to Goose Creek Post 166 and should get there around 4:00 pm. I should say, the dress for tomorrow, if you come is casual, no need for a coat and tie.

D-3 Cmdr Lewis: Shoes?

Dept Adj Diener: Shoes would be nice. Shoes are always nice. Same way, Parris Island will be casual all day long there as well. Ok, on Tuesday we’ll b taking him to Dorn VA in the morning, head up to Dillon Post 32 for lunch, come back by Darlington Post 13 and from there we’ll be going to Lynchburg Post 14- for dinner and then head back here. Again, those days when we go to Dorn that will be coat and tie but then when we leave those will come off because everybody else will be casual. Ok? Wednesday’s the biggie. Wednesday morning we will be meeting at the hotel, the Springhill Inn & Suites but that’s where we’ll have the National Commander’s meeting with anybody that would like to come. It’s at 511 Lady Street, Columbia. Any of all that are familiar with the downtown area off Gervais, you know where the Publix grocery store is, Springhill is right before, free parking. And for overflow there’s parking in the Publix too. That’s where we’ll also be giving out some of the awards, for the folks in this room, all the District Cmdr’s and everybody should be there for that. That’s showing our support for our National Commander, but we’ll also be giving out some of the Rider awards and some other awards. If any of ya’ll, if one of your posts does get an award it’s the normal of where we ask for you to come forward and pick it up. And then at 12:00 is the National Commander will go over and give a speech to the joint session of the SC House & Senate. Again, we need a good showing over there up in the balcony. Because the Commander sees that, and also other people see that. My feelings on it are if you’ve made it to the morning meeting there’s no reason you don’t make it over to that session. And it’s very interesting to see.
Vice Cmdr Rucker: Lonnie Hosey has made a request to the Representatives and to the Senate, it is embarrassing that they can’t support The American Legion, he did that in an open session.

Dept Adj Diener: We have to do our part too.

D-5 Cmdr Smith: Did they do like they did last year? They scheduled him during the lunch break?

Vice Cmdr Poulos: They always do.

Dept Adj Diener: We’re at the mercy of the SC Legislature.

D-5 Cmdr Smith: We voted them in, they work for us, we don’t work for them.

Vice Cmdr Poulos: I just want to say we have a small contingent that is with the Commander at Parris Island but if any of you have people down in the low country by us and they want to just have a glimpse of him or see him and can’t get to Goose Creek for the dinner that night, at 12:30 is when he’ll be at the museum. And anyone can go through the gate and go to the museum, it’s a free museum. The Marines run it and they said anybody can come.

Dept Adj Diener: Ok, the last thing for going over to the State House, again, he gives his speech, he’s scheduled to give his speech at 12:00. You need to plan to be over there about 11:30, you’ve got to go through security and everything else to get up there, so you’ll be in place. Once he’s finished, that evening we’re taking him out to the Department Commander’s Homecoming out at Post 193. And Thursday morning we put him on the plane to send him on his way to the Washington Conference, the Commander and I and several of the people in this room will be heading out to the Washington Conference, ok? Any questions on the…those of ya’ll that don’t know, on that Saturday when we head up to the Washington Conference, our Department Commander gets to, we have it scheduled to lay a wreath at the Tomb of the Unknown Soldier, ok? Commander, that’s it.

Dept Cmdr Richardson: Ok, just to let you know, everybody is invited. Go ahead, Joe.

PDC Lysaght: I just wanted to acknowledge the work that was put in by the Department on the Code of Procedures which was originally developed in 2001 by this body and only had three documented changes in that whole time. And having looked at the 37 pages of the new one in its entirety, I think we owe them a nice round of applause. (applause).

Dept Cmdr Richardson: Ok, couple things, everybody’s invited to the Homecoming, casual, slacks and a polo shirt. Going to have a Pick-pickin’. Easiest way to get there, interstate going west, exit 91, go back across the interstate, you’re going to go right past the post, they can’t have it past the post, go right on down, the road is going to cut and go across the railroad track, don’t go across the railroad tracks, go right on down like you’re going into the woods and Town Hall is right on down there on the right. Everybody’s invited, please come. Next thing, if you come, if you come, make sure that you don’t speed on Road 48 because I guarantee you if you speed on road 48 and they don’t write you a ticket, you are lucky, you are very lucky. Alright, next thing is, we just had the oratorical contest here. Since I’ve been coming, we had four of the best speakers we’ve had. The committee and four vice commanders did a very good job on this. The only downside to this, we had three district commanders here, we had four speakers, three district commanders. Ladies and gentlemen, we are the leaders of this department. If you’re going to lead, you get out in front. Department is like a rope, you can’t push it, you’ve got to pull
it. And the only way you can pull it is out in front of it. We need as leaders of this department to start backing our functions. Ok, enough said on that.

Alright, next thing, Policies & Procedures. It is obvious that a lot of people, because I’ve got a lot of it right here, a lot of people feel the same way I do because I’m getting information in. I’m getting in rules for the DEC, I’m getting information in on rules for the different committees, and what’s going to happen is this is a working document and we’re going to try and have it ready, an initial draft, by our April 18 DEC meeting so you can look at it. And then what’s going to happen is, understand, with this document right here, these are going to be the rules are going to run our meetings by. That means one very important thing. That means if we don’t like it, guess what we can do? We can change it, but we still have the rules that we go by and these rules will be written down. And it’s going to start off thin but hopefully it’s going to get bigger and bigger and bigger. I want to thank everybody for sending me this stuff. We’re going to get busy on it and put it in some kind of form so you can do it. If you come up with an idea, please, I’ll take all the help I can get, especially with that computer.

Alright, next thing is our Consolidated Post Reports, (CPR’s). Jesus Christ people, $25.00, get your posts to turn them in. I think on the last report we had 16, 16 posts have started working on their CPR’s. 10%. That sucks. Quite frankly there’s no other way to put it, last year we had 44, or we were 44, there’s no telling where we are now. We’ve got to get these CPR’s because we go up there and talk to these legislators in Washington, that’s our clout, that’s what we got it down to.

Alright, next thing, our Emergency Management Plan (EMT). Wow! We met here on the 19th. There were about 20 people here and two things I found out. And that is that the Department of SC has a God-Awful amount of talent out there and a lot of people know a lot of things. We’ve got people out there that can help us do anything. And the second thing I found out is we don’t know what we don’t know. I mean we were in here planning and the one thing we don’t want to do is start something up and step on FEMA’s toes, the Red Cross’s toes, so when we get back from Washington, Adjutant Diener and I are going to set up a meeting with SCDMV or something like that. And we’re going to meet with them to find out what the void is that we can fill. Because we want to be able to help and not hinder, and that’s coming.

Now, I do want to let you know we do have a vacancy, a District 13 vacancy, because Bones Wilson had to resign because of health. We are keeping him in our thoughts and prayers, and I do know Vice Commander Poulos is in the process of holding an election.

Alright, next. Ladies Fast Pitch Softball I have yet to speak to one person in all my traveling’s around, one person in all my traveling’s around, that has one negative thing to say about Ladies Fast Pitch softball. So what I want to do is, I want to appoint an ad-hoc Committee to oversee the Pilot Program, Pilot Program for Ladies Fast Pitch softball. Now, if they can get this Pilot Program up and running and Jim, you remember how it was with the Riders. We had to get them up and running and we came to you and said, this is what we got. This Pilot Program is going to be exactly that. Once they get it up and running, and they get two, three leagues, of what six, seven eight teams in each league? Then we can maybe make it a program of The American Legion. Now, on that committee, because Bob has been with it from day one, I want to put Bob Scherer as the Chairman because he’s got all the contacts. I’m going to put Tommy Ford, I’d like to put Robert Livingston, and who’s that from Sumter? Bill Lyons from Sumter and Bridget. Put those five members on it, now understand, they’re going to oversee the workings of this Fast Pitch Softball. It is a Pilot Program.

Dept Adj Diener: We’re not sure if Livingston is a member, he may be SAL.
Dept Cmdr Richardson: He’s not? He’s a veteran. Ok, we’ll make him an Advisor.

D-15 Cmdr Rumbaugh: I make a motion that we allow you to make your ad-hoc committee.

D-16 Cmdr Defrehn: Ad-hoc task force.

Vice Cmdr Price: I second that motion, Commander.

Dept Cmdr Richardson: The motion’s been made and seconded that we form an ad-hoc task force for the Pilot Program of Ladies Fast Pitch Softball?

PDC Hawk: Will this run past year?

Dept Cmdr Richardson: Can I make an ad-hoc committee that will run past my year?

PDC Hawk: No. The next Commander will have to bring it back up.

Dept Cmdr Richardson: Ok, then the next Commander will have to bring it back up, but I want to go ahead and start right now.

PDC Hawk: Good, good.

Alt NEC Scherer: We’ll need the help of the District Commanders to get the word out.

Dept Cmdr Richardson: That will be ya’ll’s problem, your District Commanders (laughter). Seeing no discussion, all in favor say aye? Opposed? (all present voted in favor of forming an ad-hoc committee/task force for the Pilot Program of Ladies Fast Pitch Softball). Ok, you asked for it, you got it.

Ok, next thing, one of the things back in June what I wanted to start was American Legion College. And we’ve got it started and it’s a bear. We’ve got a hold of something and people can’t let it go. So what we’ve got to do is we’ve got to keep fighting with it. American Legion College is coming along, we’ve got different opinions on how it should be run, everybody in here knows how I feel about conflict. You get in there and you fuss and you fight and you work it out and then you go from there. And our American Legion College is coming along and it’s coming along good. One second please.

D-16 Cmdr Defrehn: I was making a motion for adjournment.

Dept Cmdr Richardson: Give me one second and I’ll entertain that. Do I have anything for the good of The American Legion? Jack, make it short.

D-11 Cmdr Lonergan: Ok, just so everybody knows, I announced this earlier this month back on December first I retired from full time work from Shaw AFB. I work part-time, 20 hours a week and my job is to plan major events for the base. Our next major event is coming up the 16th and 17th of May, we’re having our Air Show. We’re having our AF Thunderbirds, Black Tigers from the Army jump team, we have several other civilian and military acts. It’s free to anybody to come in. There’s VIP seating optional, it’s $50.00 person, those tickets will go on sale in another two weeks. Those tickets will get you covered seating, lunch, access to a full-service bar versus just the beer tents, access to (inaudible) rest rooms with hot and cold running water versus the porta potties for everybody else. So
that’s that program. And then on the 4th of July, it’s open only to people with an ID card and we have Cassidy Pope and Walker Hayes coming to perform and that’s a free program as well.

Dept Cmdr Richardson: Ok, thank you very much.

D-11 Cmdr Lonergan: Ok, one other thing, this is big news, this is big news. At the Air Show we’re going to be introducing a program for active duty service members and veterans, we’re going to be giving away a Harley Davidson with a sponsorship deal that we’re working on with Thunder Tower Harley Davidson.

Dept Cmdr Richardson: What kind of bike?

D-11 Cmdr Lonergan: It’s brand new, it’s a sportster I think, I don’t know.


D-9 Cmdr Sweet: I’ll try to keep it short. Everyone here knows about the Mission Act. How many people here have participated in the Mission Act? Ok. Anybody, ok, I have, it is working to some extent, but you’ve to get your eligibility established at Dorn, you’ve got to find a doctor or a dentist that participates in the program and you’ve got to make sure that a packet was sent from Dorn to that participator, for you to get the care.

Dept Cmdr Richardson: Anything else for the good of The American Legion?

D-16 Cmdr Defrehn: Just putting out something, for all military retirees. If you’re getting VA disability, they’re deducting it from your pay, ok? There’s something called combat related disability that you can file for that will give you that difference back, so you’ll get full military pay plus your disability.

Dept Cmdr Richardson: Very good. We have a motion on the floor to adjourn. Do we have a second?

D-6 Cmdr Simpson: Second.

Dept Cmdr Richardson: Any discussion?

D-16 Cmdr Defrehn: Can we stay longer (laughter).

Dept Cmdr Richardson called on Chaplain Mullinax for the benediction and closed the meeting.

For God and Country,

Nick I. Diener
Department Adjutant

ND/mm