

# **MARNE COMMUNITY AND SPOUSES' CLUB CONSTITUTION**

**Fort Stewart and Hunter Army Airfield, Georgia  
March 2020**

## **ARTICLE I NAME AND AUTHORITY**

Section 1. The name of this organization shall be the Marne Community and Spouses' Club, hereinafter referred to as MCSC.

Section 2. The MCSC shall be a private organization under the provision of Army Regulation (AR) 210-22 (Private Organizations on the Department of the Army Installations, effective November 2001), Department of Defense (DoD) Instruction 1000.15 (Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations), and the Joint Ethics Regulation (DoD 5500.7-R). It shall comply with all fire and safety regulations, environmental laws, tax codes, and other applicable statutes and regulations while operating on Fort Stewart and Hunter Army Airfield installations. The MCSC is not an instrumentality of the U.S. Government.

Section 3. The Installation Commander may revoke the MCSC's permission to operate at any time.

## **ARTICLE II PURPOSE**

Section 1. The purpose of this organization shall be to promote events and activities that fundraise for the purpose of providing scholarships and welfare grants to Fort Stewart, Hunter Army Airfield, and surrounding communities. This organization does not contemplate monetary gain or profit to the members thereof and is organized for non-profit purposes. The MCSC is a charitable organization under section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 2. The activities of the MCSC may include, but are not limited to the following: luncheons, coffees, dances, tours, opportunity drawings, auctions, community programs, charitable events, Ways and Means, and other fundraising events subject to the guidelines set by AR 210-22, while operating within the boundaries of US Army installations.

Section 3. The MCSC fully supports the United States Army and Fort Stewart/Hunter Army Air Field policies on equal opportunity and will not discriminate against any person because of race, color, creed, sex, sexual orientation, disability, or national origin; nor will it knowingly support or associate with persons or organizations which do. All activities conducted by the MCSC will not seek to deprive individuals of their civil rights, or prejudice or discredit the military services nor any other agency or official of the United States Government. The MCSC will neither

propagate extremist activities nor advocate violence against others or the violent overthrow of the Government.

### **ARTICLE III** **MEMBERSHIP**

#### Section 1. Membership

The membership in the MCSC shall be voluntary and shall consist of General and Associate members. The membership year will run from 01 June to 31 May for Elected Officers and Governing Board members while General & Associate members will be from August to May of the following year.

- A. Members are required to be of honorable character and reputation. The MCSC has the ultimate right to require that its members refrain from conducting injuries to the organization or its purposes. No one should be allowed to remain a member if their retention will do this organization harm. Just cause for removal from office can be shown for conduct tending to injure the good name of the organization, disturb its well-being, or hamper its work. (For examples of just cause see Section 6.)

#### Section 2. General Membership

General Membership will entitle the individual to the right to vote, the right to hold office, and the right to receive appointments to committees. General members must renew their membership and pay dues annually. General Membership will be extended to the following persons who reside within the Greater Fort Stewart/Hunter Army Airfield Community:

- A. Spouses of active duty commissioned officers, warrant officers, enlisted personnel, and government employed civilians.
- B. Spouses of retired commissioned officers, warrant officers, enlisted personnel, and government employed civilians.
- C. Spouses of Reservists and National Guard.
- D. Spouses of Fallen Heroes.
- E. Widows or Widowers of commissioned officers, warrant officers, enlisted personnel, and government employed civilians.
- F. Retirees of Active Duty, Reserves, National Guard, and government employed civilians.

#### Section 3. Associate Membership

Associate Members will pay annual dues and may vote. Associate Membership shall not exceed 10% of the total General Membership. Associate Membership will be extended to the following persons who reside within the Greater Fort Stewart/Hunter Army Airfield Community:

- A. Active duty officers, warrant officers, enlisted personnel, and government employed civilians. (This status supersedes spouse status.)
- B. Family members (other than spouses) who are over 18 years of age.
- C. Spouses of DoD contract employed civilians.
- D. Persons approved for Associate membership by the Governing Board of the MCSC
- E. International service members and their spouses.

Section 4. Membership information to include rosters is only for use by the MCSC membership. At no time should this information be shared or used for purposes outside of the club.

Section 5. Membership in the MCSC is non-transferable and non-assignable.

Section 6. Membership in the MCSC will terminate under the following events by a quorum of the Governing Board with the use of a secret ballot:

- A. Resignation of any member who chooses to resign from Membership and who shall do so by contacting the Membership Chairperson, who will then remove that member's name from the membership roll without a refund of dues.
- B. Failure to fulfill requirements outlined in the MCSC Constitution and Bylaws.
- C. At the end of the membership year. (Article III, Section 1)
- D. A violation of Article III, Section 1a.
- E. Examples of just cause include but are not limited to the following:
  1. Lack of integrity.
  2. Poor attitude as defined by the Governing Board.
  3. Inability to get along with others.

Section 7. Guests

- A. A member may invite guests to the regular General Membership meetings or activity; however, any person who is eligible for membership may attend no more than one meeting or activity as a guest. Members will be responsible for ensuring the payment of their guest's meal. Limitations on the number of guests may be established if the Governing Board deems such action necessary.

## **ARTICLE IV** **OFFICERS AND GOVERNING BODY**

Section 1. Elected Officers

Elected officers of MCSC shall be the President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Secretary, and Treasurer. Elected Officers serve for one year commencing 01 June.

Section 2. Honorary Officers & Advisors

Honorary officers of the MCSC shall be the spouse of the Third Infantry Division Commanding General, or their designee, to serve as Honorary President. The spouse of the Third Infantry Division Command Sergeant Major, or their designee, shall serve as the Honorary Vice-President. Advisor(s) shall be the designee(s) of the Honorary Officers.

Section 3. Executive Board

Executive Board of the MCSC consists of the Honorary Officers & Advisors, Elected Officers, and the Parliamentarian. The Executive Board has the authority to decide on matters including, but not limited to, dissolution of MCSC, litigation involving the club, insurance coverage, and financial issues. Only General MCSC members are eligible to be elected/selected for a position on the Executive Board.

- A. The Executive Board, excluding Honorary Officers & Advisors, will abide by the

following term limits and conditions.

1. Submission of an application and payment of dues will be the first order of business of the incoming board.
2. A Board Member may not serve on the Executive Board in any capacity more than two consecutive years, after which they must have at least a one-year break before being able to hold an Executive Board position; however, they may hold a Governing Board position.

#### Section 4. Governing Board

Governing Board of the MCSC shall consist of the Honorary Officers & Advisors, Elected Officers, Parliamentarian, and the Appointed Chairs. The powers of administration, management, and regular operation of MCSC shall be vested with the Governing Board. Elected Officers and Appointed Chairs shall have one vote at board meetings. The President votes only to break a tie.

- A. The Governing Board, excluding Honorary Officers & Advisors, will abide by the following term limits and conditions.
  1. Submission of an application and payment of dues will be the first order of business of the incoming board.
  2. A board member may only hold a particular board position for two consecutive years, after which they must have at least a one-year break before returning to that position.

#### Section 5. Appointed Chairs

Appointed Chairs of the MCSC will consist of those positions specified in the MCSC Bylaws and any additional committees as deemed necessary by the President. Appointed Chairs serve for a term of one year commencing upon their appointment by the President, to end 31 May. The President can appoint co-chairs as needed.

### **ARTICLE V** **ELECTION OF OFFICERS**

#### Section 1. Elections

- A. Nominations for positions will be accepted through the March General Membership meeting.
- B. The Parliamentarian will present the slate at the March General Membership Meeting and accept nominations from the floor.
- C. At the April General Membership meeting, the election shall be by secret ballot. The candidate for any office who receives a plurality of votes cast for that office shall be elected. All General members of MCSC have the right to vote, including all Governing Board members. Absentee and proxy voting is not allowed.
- D. The elected officers shall be installed at the May General Membership Meeting. Each officer shall serve one year commencing on 1 June.
- E. If officer positions are not filled by the April election, vacancies will be filled IAW Article VI.

**ARTICLE VI**  
**UNSCHEDULED CHANGES OF THE GOVERNING BOARD**

Section 1. Governing Board members have the right to resign at any time throughout the MCSC year. Resignation must be submitted in writing to the President. In the case of the President resigning, resignation must be submitted in writing to the Honorary Officers & Advisors.

Section 2. A Governing Board member can be asked to resign upon continued failure of his/her duties as described in Articles III, V, and VI of the MCSC Bylaws, or when it is in the best interest of the MCSC.

Section 3. Before a Governing Board member can be asked to resign he/she will be notified and invited to be present at an Executive Board meeting where the matter will be discussed, voted on, and potentially forwarded to the Governing Board for a final vote.

Section 4. In the event an elected office becomes vacant or remains vacant, following the nomination process, the President, with 2/3 approval of the Executive Board, will appoint a General Member in good standing to fill the vacant position. This appointment will be assumed immediately and will be presented to the General Membership at the next scheduled meeting to be voted on.

Section 5. If the office of the President is vacated at any time, the 1<sup>st</sup> Vice President will temporarily fill this position. This succession will be assumed immediately and will continue until a new President is elected.

**ARTICLE VII**  
**MEETINGS AND QUORUM**

Section 1. The Executive Board shall meet on a formal basis at the discretion of the President.

Section 2. The Governing Board will meet monthly, June through May of the board year. A member of the Honorary Officers & Advisors must be present. A Quorum shall consist of 2/3 of the filled governing board positions. The vote of the majority of the quorum shall govern. In the event of a natural disaster, post closure, and/or mandatory evacuation of the greater Marne Community, a meeting will not be required for that month.

Section 3. When an immediate decision is required, the President may call for an MCSC Governing Board meeting by telephone, e-mail, or other electronic measures. Each voting member must be informed that this is a voting procedure and must be informed of the motion under consideration in its entirety prior to voting. A telephonic or electronic vote is to be administered solely by the Parliamentarian. Quorum and voting procedures shall be the same. All telephone or electronic votes are to be reflected in the minutes.

Section 4. General Membership meetings of the MCSC shall be held the second Tuesday of each month unless otherwise directed by the President with approval of the Executive Board. A

quorum for conducting General Membership business shall be defined as 2/3 of voting members present.

- A. General Membership meetings (defined as meetings open to the General Membership) will occur at least nine times a year. Two of these meetings will be for the election and installation of officers, held in April and May, respectively. The board will determine the date of other meetings or special events.

Section 5. Except as stated otherwise in the Constitution and Bylaws of the MCSC, all meetings will be conducted according to the current Robert's Rules of Order (Revised Edition). The President will have the final authority to decide points of order.

## **ARTICLE VIII**

### **FINANCIAL ADMINISTRATION**

#### Section 1. General

The Executive Board is charged with the responsibility of the overall management of the MCSC funds and ensuring that the expenditures are limited to those required to support the mission and activities of the club as outlined in the Constitution. These responsibilities include, but are not limited to: budgeting money, ensuring solvency, and ensuring that all financial obligations are met. The financial year is 1 June through 31 May. The Governing Board shall review and approve the budgets for the Operating and Welfare Accounts no later than the August Governing Board meeting.

#### Section 2. Accounts

The income and expenditures of the MCSC shall be divided into Operating and Welfare Accounts, which shall maintain separate budgets and accounting. These accounts shall be maintained in a reputable bank or credit union.

##### A. Operating Account:

1. The funds from the Operating account will be used to fund the operations of the club.
2. The positions that will submit budgets for and derive their funds from this account are the President, 2<sup>nd</sup> Vice President, Secretary, Treasurer, Parliamentarian, Historian, Public Relations, Webmaster, Membership, Ways and Means, Vendor Relations, Hospitality, Reservations, Property Room, Retiree Representative, Community Outreach, and ODYD.
3. The funding for the Operating Account will include but is not limited to: membership dues, activities, Ways and Means, and opportunity tickets.
4. The Operating Account will carry forward a minimum of \$2500 to allow the new board to begin operations.
5. The Governing Board must authorize any expenditure from the Operating Account which was not included in the approved annual budget.
6. The Governing board may vote to reallocate budgeted Operating Account funds by position as needed.

##### B. Welfare Account:

1. The funds for the Welfare Account will be used to provide scholarships and grants.
  2. The positions that will submit budgets for and derive their funds from this account are 1<sup>st</sup> Vice President, Special Events, Scholarship, and Grants.
  3. The funds will be derived from fundraising activities held for this purpose IAW Article II of the Constitution. All on-post fundraising efforts will be conducted in accordance with the Joint Ethics Regulation and AR 600-29 (Fund-Raising within the Department of the Army). Fundraising efforts must receive written approval from the Directorate of Family, Morale, Welfare and Recreation (DFMWR) or other Approving Authority prior to the fundraiser if held on post.
  4. Those funds net of expenses shall be maintained in the Welfare Account. If necessary, the Governing Board may vote to designate up to 25% of this amount to the Operating Account once a year during the January budget review in order to maintain financial solvency of the club.
  5. The Welfare Account will carry forward a minimum balance of \$1500 to allow for funds to begin fundraising activities in the next board year.
- C. The signatories for these accounts shall be the President, the 1<sup>st</sup> Vice President and the Treasurer(s). Checks written in the amount of \$500 or greater must be signed by two (2) of the signatories if not a budgeted item.

### Section 3. Records

The financial records of the MCSC shall be made available upon request.

### Section 4. Audit

The financial records for the Operating and Welfare Accounts of the club shall be audited annually in conjunction with the handover of the books to the new board or when the Treasurer changes during the fiscal year.

- A. Any discrepancies shall be reconciled by the outgoing board prior to handover. Audits shall be conducted IAW AR 210-22.
- B. If it is determined by the Executive Board that a qualified auditor is necessary, payment for this service will come from the Operating Account.
- C. A duly signed copy of this review and/or audit report with deficiencies and a statement of corrective action to be taken will be forwarded to the President and to DFMWR or Approving Authority within 30 days. Audit reports and financial records will be retained for a period of at least seven years from audit completion.

### Section 5. Liability

- A. The MCSC will be a self-sustaining non-Federal entity. Neither the installation nor the Government will have any liability for the MCSC's actions or debts.
- B. The MCSC agrees to reimburse the Army for utility expenses unless the Army deems the use incidental. The amount should be an amount agreed upon, in writing, between the Fort Stewart and Hunter Army Airfield Garrison and the MCSC Executive Board.

### Section 6. Taxes

- A. The incoming treasurer must determine no later than June 15<sup>th</sup> if the *GROSS RECEIPTS* of the previous club fiscal year exceeded \$50,000. According to the IRS, *GROSS RECEIPTS* are:
1. The gross amounts of contributions, gifts, grants, and bequests that the organization received from individuals, trusts, corporations, estates, affiliates, foundations, public charities, and other exempt organizations, or raised by an outside professional fundraiser.
  2. Dues and assessments received that compare reasonably with the benefits of membership.
  3. You must include noncash contribution as income. Report the value of noncash contributions at the time of the donation. For example, report the gross value of a donated car as of the time the car was received as a donation.
- B. If it is determined the previous club year *GROSS RECEIPTS* do not exceed \$50,000, then the club treasurer must visit the IRS website [www.irs.gov](http://www.irs.gov), search for 990 E postcard, and file the electronic form indicating the club did not exceed \$50,000 in *GROSS RECEIPTS* for the fiscal year ending on May 31<sup>st</sup>. This is to be completed by June 15<sup>th</sup> of the current club year for the *PREVIOUS* club fiscal year.
- C. If it is determined the previous club year *GROSS RECEIPTS* did exceed \$50,000, then the club treasurer must turn over all documents pertaining to club funds to a designated tax preparer (chosen by the club) no later than July 1<sup>st</sup>. The club should allow 30 days for the designated tax preparer to complete the Form 990 Return of Organization Exempt from Income Tax.
- D. In the event that the designated tax preparer is unable to complete the return within 30 days, due to negligence of the club (i.e. poor record keeping, missing documents, unanswered questions, etc.), the IRS has determined the absolute last date to file a return without penalization is the 15<sup>th</sup> day of the 5<sup>th</sup> month after the end of the fiscal year. The Marne Community and Spouses Club therefore has until October 15<sup>th</sup> of any given year to file the *PREVIOUS* year taxes.

## **ARTICLE IX** **INSURANCE AND BONDING**

### Section 1. Liability Insurance

Liability Insurance will be maintained by the MCSC in a sufficient amount to cover the club's assets for claims that might arise as a result of its activities IAW AR 210-22.

### Section 2. Bonding

IAW AR 210-22, fidelity bonding will be purchased for our members handling monthly cash flow exceeding \$500. At a minimum, the President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Treasurer(s), and Ways and Means Chair(s) will be bonded at the expense of the MCSC.

### Section 3. Documentation

The Executive Board will review insurance coverage and fidelity bonding annually. The President and Parliamentarian will each retain copies of these documents.



**ARTICLE X**  
**PROPERTY**

Section 1. The property of the MCSC will be housed in the Property Room on Fort Stewart: located in the MCAC building on 54 Coe Avenue.

Section 2. The keys to the Property Room will be maintained by the President and the Property Chair.

Section 3. All physical property of the MCSC will be the primary responsibility of the Property Chair.

**ARTICLE XI**  
**AMENDMENTS AND REVIEW**

Section 1. Proposed amendments to the Constitution must be made available in writing to the General Membership for a vote at a General Membership meeting.

Section 2. Amendments to the Constitution must be approved in the following order:

- A. A two-thirds vote of the members of the Governing Board, appointed and voting, in a duly constituted regular or special meeting.
  - 1. Written notice of proposed amendments must be given to the Governing Board at least seven (7) calendar days prior to the meeting at which the vote on the proposed amendment is to be taken.
- B. A two-thirds vote of the members, present and voting, in a duly constituted meeting of the General Membership.
  - 1. Written notice of proposed amendments must be given to the General Membership at least seven (7) calendar days prior to the meeting at which the vote on the proposed amendment is to be taken.
- C. The Garrison Commander or his/her designated representative.

Section 3. Any member desiring to propose an amendment to the Constitution and/or Bylaws shall present a written and signed proposal to the Parliamentarian at: a General Membership meeting, a Board meeting, or submitted with their monthly Board Report.

Section 4. A Constitution and Bylaw Review Committee will meet every two years (even numbered years). This committee will review the Constitution and Bylaws and report its recommendation to the Governing Board no later than the March Governing Board meeting. The Parliamentarian, with the approval of the President, will appoint the committee.

**ARTICLE XII**  
**ADOPTION**

Section 1. All activities and functions of this association shall follow regulations and shall be approved by the Garrison Commander.

Section 2. This Constitution shall become effective upon adoption in a duly constituted regular or special meeting of the General Membership with a two-thirds majority vote of the voting members present and after the approval of the Garrison Commander. These items shall be housed at the MCSC Property Room.

Section 3. This Constitution shall supersede all previous Constitutions.

**ARTICLE XIII**  
**GOVERNMENT AND RECORDS**

Section 1. A historical file consisting of the following records will be maintained and held by the Parliamentarian and Secretary via the G Suite on the Google Drive. The G Suite and all board member accounts are property of the MCSC. The file shall consist of:

- A. The most current original letter of approval to operate on the installation.
- B. The most current record of approval of the Constitution and Bylaws.
- C. The most current copy of:
  1. Constitution and Bylaws
  2. Army Regulations
  3. Insurance and Bonding Policies
  4. 501(c)3 Tax form
  5. Financial Report
  6. Physical Inventory
  7. Monthly Board Report
  8. Approved Monthly Minutes and Budget
  9. Master Copy of all MCSC documents produced for distribution (i.e.: Membership Application, Scholarship Application, Grant Application, Vendor Application, Voucher Request Form...)
  10. Any and all AARs and SOPs

Section 2. All historical records, other than financial records, of the MCSC will be completed at the end of the MCSC fiscal year, held for five (5) years, and then be destroyed.

Section 3. The Treasurer shall maintain all applicable financial records for his/her board year. At the end of the MCSC fiscal year, all financial records will be completed and held for seven (7) years and then be destroyed. These items shall be housed at the MCSC Property Room.

Section 4. The Parliamentarian is responsible for the proper destruction of records through a Bonded company (i.e. UPS on General Screven Way).

Section 5. The MCSC will provide minutes or summaries of MCSC meetings on a routine basis, but not less than annually, to the Installation Commanders' designee.

**ARTICLE XIV**  
**DISSOLUTION**

Section 1. Upon dissolution of the MCSC by an affirmative vote of a majority of the General Membership present, without any provision to meet again in the future, the funds in the treasury at the time will be used to meet all of the outstanding debts, liabilities, and obligations. The balance will be disposed of as determined by the membership at that meeting. If upon dissolution the assets of the MCSC are insufficient to discharge such debts and liabilities, all members shall be personally held liable for such debts and liabilities. All state and jurisdictional laws will be met at dissolution.

***This Constitution was approved by the MCSC General Membership at a general membership meeting held on \_\_\_\_\_.***

*In witness whereof, the following officers affix their signatures:*

*President* \_\_\_\_\_ *Date* \_\_\_\_\_

*Secretary* \_\_\_\_\_ *Date* \_\_\_\_\_

*Parliamentarian* \_\_\_\_\_ *Date* \_\_\_\_\_

***This Constitution was approved by the Fort Stewart Garrison Commander and adopted by the MCSC on \_\_\_\_\_.***