

1 BEFORE THE DEPARTMENT OF MISSOURI AMERICAN LEGION EXECUTIVE
COMMITTEE

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American Legion Executive Committee Meeting

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October 24, 2020
American Legion Post 5
1423 Tanner Bridge Road
Jefferson City, Missouri

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THE COURT REPORTER:

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1 COMMANDER WILLIAMS: I remind everyone that
2 this is an open session and all legionnaires are welcome to
3 attend to speak on any matter. However, they must first
4 obtain permission from District Commander. I would also
5 like to remind you that when speaking state your name, your
6 district, and speak clearly and loudly so the recorder can
7 hear you. Our Adjutant will now have the roll call.

8 ADJUTANT FINLEY-JACKSON: Good afternoon.
9 Good afternoon, everyone. Thank you. Roll call.
10 Commandeer Hallie Williams?

11 COMMANDER WILLIAMS: Here.

12 ADJUTANT FINLEY-JACKSON: Senior Vice
13 Commander Gary Grigsby?

14 SR. VICE COMMANDER GRIGSBY: Present.

15 ADJUTANT FINLEY-JACKSON: Zone I Vice
16 Commander Bob Maddox?

17 MR. MADDOX: Here.

18 ADJUTANT FINLEY-JACKSON: Zone II Vice
19 Commander Joe Cochran? Zone III Vice Commander Rose
20 Noonan?

21 MS. NOONAN: Here.

22 ADJUTANT FINLEY-JACKSON: Zone IV Vice
23 Commander Philip Baker?

24 MR. BAKER: Here.

25 ADJUTANT FINLEY-JACKSON: NECman Kenneth Goth?

1 MR. GOTH: Here.

2 ADJUTANT FINLEY-JACKSON: Alternate NECman
3 Thomas Goodin is excused. Immediate Past Commander Kerry
4 Boardman.

5 MR. BOARDMAN: Present.

6 ADJUTANT FINLEY-JACKSON: Judge Advocate
7 Cassie Strom?

8 JUDGE ADVOCATE STROM: Present.

9 ADJUTANT FINLEY-JACKSON: Finance Officer John
10 Buckwalter?

11 MR. BUCKWALTER: Here.

12 ADJUTANT FINLEY-JACKSON: Chaplain Marvin
13 Harper is excused. Historian Jerome Goolsby is excused.
14 Sergeant-in-Arms Darlene Coats?

15 MS. COATS: Present.

16 ADJUTANT FINLEY-JACKSON: Past National
17 Commandeer Joe Frank is excused. Adjutant Lowry
18 Finley-Jackson, I am present. 1st District Commander Lloyd
19 Miller?

20 MR. MILLER: Present.

21 ADJUTANT FINLEY-JACKSON: Second District
22 Commander Edwin Allender?

23 MR. ALLENDER: Present.

24 ADJUTANT FINLEY-JACKSON: 3rd District
25 Commander Douglas Millison?

1 MR. MILLISON: Present.

2 ADJUTANT FINLEY-JACKSON: 4th District
3 Commander -- I understand we have a change there. What's
4 your name, sir?

5 MR. GILFILLEN: Bud Gilfillen.

6 ADJUTANT FINLEY-JACKSON: 4th District
7 Commander Bud Philip?

8 MR. GILFILLEN: Bud Gilfillen,
9 G-i-l-f-i-l-l-e-n.

10 ADJUTANT FINLEY-JACKSON: Welcome. 5th
11 District Commander Sidney Malone?

12 MR. MALONE: Present.

13 ADJUTANT FINLEY-JACKSON: 6th District
14 Commander Bill Anderson?

15 MR. ANDERSON: Present and accounted for.

16 ADJUTANT FINLEY-JACKSON: 7th District
17 Commander Jim Heard, absent. 8th District Commander Brian
18 Sapp?

19 MR. SAPP: Present.

20 ADJUTANT FINLEY-JACKSON: 9th District
21 Commander Ray Rolley?

22 MR. HIBRICK: Allen Hibrick for Ray Rolley.

23 ADJUTANT FINLEY-JACKSON: 10th District
24 Commander Ed Ucinski, excused. 11th and 12th District
25 Commander Darlene, did you leave?

1 MS. COATS: Not yet.

2 ADJUTANT FINLEY-JACKSON: 13th District
3 Commander Duane DeClue?

4 MR. DECLUE: Here.

5 ADJUTANT FINLEY-JACKSON: 14th District
6 Commander Frankie Adams?

7 MR. ADAMS: Present.

8 ADJUTANT FINLEY-JACKSON: 15th District
9 Commander Mark Bartley?

10 MR. BARTLEY: Present.

11 ADJUTANT FINLEY-JACKSON: 16th District
12 Commander Marilyn Hirsch?

13 MS. HIRSCH: Here.

14 ADJUTANT FINLEY-JACKSON: 17th District
15 Commander Mark Reed?

16 MR. REED: Here.

17 ADJUTANT FINLEY-JACKSON: Past National
18 Commanders voice no vote. Joe Frank, excused. Joel Hauck,
19 excused. Past Department Commander David Voyles?

20 MR. VOYLES: Here.

21 ADJUTANT FINLEY-JACKSON: Past Department
22 Commander Clark Pointer, excused. Past Department
23 Commander Rich Heigert?

24 MR. HEIGERT: Here.

25 ADJUTANT FINLEY-JACKSON: Past Department

1 Commander Dave Shafer, excused. Past Department Commander
2 John Neger, excused. Past Department Commander Dave
3 Jennemann, excused. Past Department Commander Marvin
4 Harper, excused. Past Department Commander Charles Goodin,
5 excused. Past Department Commander nLynn Dorrell, excused.
6 Past Department Commander Kenneth Goth?

7 MR. GOTH: Still here.

8 ADJUTANT FINLEY-JACKSON: Thank you. Past
9 Department Commander Art Wilson, excused. Past Department
10 Commander Tom Goodwin, excused. Past Department Commander
11 Dennis Woeltje?

12 MR. WOELTJE: Here.

13 ADJUTANT FINLEY-JACKSON: Past Department
14 Commender George Scarborough?

15 MR. SCARBOROUGH: Here.

16 ADJUTANT FINLEY-JACKSON: Past Department
17 Commander Elizabeth Gonazles?

18 MS. GONZALES: Present.

19 ADJUTANT FINLEY-JACKSON: Past Department
20 Commander Cary Kellett, excused. Past Department Commander
21 Kerry Boardman?

22 MR. BOARDMAN: Still here.

23 ADJUTANT FINLEY-JACKSON: Commander, we have
24 quorum.

25 COMMANDER: Thank you. Before we begin, with

1 business would our National Vice Commander Rich Heigert
2 like to speak?

3 MR. HEIGERT: Thank you very much. It's good
4 to be back and see everybody again. Thank you all for
5 coming. I haven't been out on the road very much because,
6 like everybody else, we have been restricted by National.
7 This week we got the authority to start traveling again
8 from National. So hopefully we will be able to get out and
9 about to get to see everybody again. I want to
10 congratulate Missouri so far. We are in 12th place
11 nationally as far as membership is concerned and that's my
12 key area that I'm involved in. I was really disappointed
13 with last years numbers. Missouri finished 44th out of 55
14 departments. So we were way down, but it's looking good
15 right now. I just want to encourage everybody to go back
16 home to your districts and encourage your post to get the
17 memberships in. Remember in two weeks we have Veterans Day
18 coming up and it's the perfect time to do the buddy checks
19 with members of your different posts. So don't use that as
20 a recruiting tool. Use it as just a way to get the message
21 out that they are important members of your post. Thank
22 you very much.

23 COMMANDER: I would now entertain a motion to
24 approve the minutes of our previous Department Exertive
25 Committee meetings held on February 22, 2020 as published.

1 Is there a motion?

2 MR. BOARDMAN: So moved, Kerry Boardman.

3 MR. GOTH: Kenny Goth, NEC. Second.

4 COMMANDER: Any discussion? All in favor
5 signify by saying "aye."

6 (Unanimous ayes.)

7 COMMANDER: All opposed? Motion passed. We
8 will now have the Subcommittee Report by Philip Baker.

9 MR. BAKER: Since we haven't been meeting, we
10 have no report, Commander?

11 COMMANDER: Thank you. Do we have
12 recommendations for new Charters?

13 ADJUTANT FINLEY-JACKSON: No, Commander.

14 COMMANDER: Do we have any recommendations for
15 Post mergers?

16 ADJUTANT FINLEY-JACKSON: No, Commander.

17 COMMANDER: Do we have any recommendations for
18 Post Charter cancellation?

19 ADJUTANT FINLEY-JACKSON: So we don't have any
20 recommendations for Post Charters, but if the District
21 Commanders will look inside their packets, they should have
22 a list of posts in there that are less than 15 members.
23 Our Charter requires that a post have 15 members in order
24 to be chartered. We don't have anything in our
25 constitution and bylaws that says how many members a post

1 should have to remain. But if you would like at most of
2 these posts that are in your packet, these posts are
3 sitting dormant. We need to do something about it. We
4 have 65 posts in the Department with less than 15 members.
5 So what we've done is we printed those out for you. We
6 have given you a list of the names of the individuals that
7 are in those particular posts. We want you to take time
8 and give those individuals a call, find out if they want to
9 continue the post or if they would like to be transferred.
10 If it's a public member and you can't get in touch with
11 them, send them a letter and you don't get a response back,
12 we will automatically transfer them. We've got to get
13 these posts off of our books if they are sitting dormant.
14 So we need your help in doing it. I think there was only
15 one district that didn't have any. I don't remember what
16 district that was. If we are going to close this post, we
17 need to have this paperwork, which I also gave you a copy
18 of the post-cancellation paperwork in your packet. Zone
19 Commanders, you have posts in your zones, districts you
20 have the ones in your districts. Once you get the
21 paperwork done, we need it to the Department by the first
22 of April so it can go before the NEC in May. So we are
23 asking for your help. Also, this gives you a chance to do
24 you buddy checks. I also put information in your packets
25 about the buddy check in case you didn't know what it was

1 to give you an idea on how to do buddy check. You don't
2 want to use it as a recruiting tool, but we can also use it
3 to find out what's going on with these folks. Do we have
4 any questions?

5 MR. MILLISON: Douglas Millison, 3rd District
6 Commander. Two of the posts on my list actually went
7 through last spring to NEC.

8 ADJUTANT FINLEY-JACKSON: They are closed.

9 MR. MILLISON: They are closed?

10 ADJUTANT FINLEY-JACKSON: I verified, so take
11 them off. That would be Post 194 and 515, they are closed.

12 MR. MILLISON: Thank you.

13 ADJUTANT FINLEY-JACKSON: 574 out of District
14 1 is also closed and 269 out of the 10th District is also
15 closed. If we can get your help to get these posts taken
16 care of, it would be greatly appreciated. Yes, sir.

17 MR. DILLON: Donald Dillon, Vice Commander
18 District 15. We have three posts in the binder right now
19 that we are in the process of closing. I personally went
20 to each commander's home and talked to them and the
21 paperwork is there. So we'll continue that process and
22 then we'll do the other two that are on the list.

23 ADJUTANT FINLEY-JACKSON: Thank you. Any
24 other questions, concerns getting rid of these 65 posts
25 that are sitting dormant? Any questions?

1 SR. VICE COMMANDER GRIGSBY: Gary Grigsby,
2 Senior Vice Commander. I move that we implement the
3 recommendation of the Adjutant to close posts with 15 or
4 less members. Start that action.

5 JUDGE ADVOCATE STROM: So really all you're
6 voting on is the fact that these commanders and vice
7 commanders are going to explore whether or not these posts,
8 these number of posts that Lowry mentioned should be
9 canceled, closed, or some other action taken.

10 COMMANDER WILLIAMS: Thank you. Is there a
11 motion that you just heard?

12 UNKNOWN SPEAKER: You just made a statement
13 that there is nothing in the Constitution to say if they
14 got less than 15 they can't be a member of the American
15 Legion. The question is if has post five or whatever it is
16 or less, if they don't want to give up their charter like
17 that and right now there is nothing in there that we can
18 basically force them. So if they want to volunteer like
19 that, then that's fine.

20 JUDGE ADVOCATE STROM: So I actually don't
21 think we need a motion on this because really all we are
22 doing is exploring whether or not we have posts that need
23 to have action taken or not. However, given that Lowry and
24 I talked earlier, for posts that are that small in number
25 and not doing much, they should be doing at least one thing

1 at least sending someone to Boys State. I think you should
2 push to require them to take one action, you know, in
3 accordance with all of our different policies and programs.

4 COMMANDER WILLIAMS: Point well taken. We
5 will move on.

6 SR. VICE COMMANDER GRIGSBY: I withdraw the
7 motion.

8 COMMANDER WILLIAMS: We will have now our
9 membership report from Sr. Vice Gary Grigsby.

10 SR. VICE COMMANDER GRIGSBY: Thank you,
11 Commander. First back in August we had a national
12 membership Zoom meeting, I guess, virtual meeting. Those
13 are still available on the national website, so you may
14 want to check those topics. If you did not participate in
15 those, take advantage of that information that they
16 provided. We -- I just got yesterday when I got home last
17 night I found the October 22nd membership report on the TAL
18 report, Missouri was up to 12th. We are just a few members
19 short, about a tenth of a percent short of our next goal
20 and that is on November 12 of 65 percent. So keep up that
21 work and get the renewals in as soon as you can.

22 The next one and I will send this out to each
23 of the district commanders in case you don't have that list
24 of the periodic membership target dates. The renewal
25 schedule also, we have already passed the October 15th, so

1 if you have members that are complaining that they just
2 sent their dues in and they are still getting a renewal
3 notification on November 13, the renewal date is November
4 13 and they will be sending out the new renewals at that
5 time. I had a conversation with Charlie Goodin this
6 morning and some e-mails exchanged and he reminded me of
7 Article 10 of National's Constitution, Section III. There
8 is some ambiguity about when the membership year begins and
9 ends. Technically it's January 1 through December 31.
10 However, in Section III, the annual dues shall be collected
11 by each Post and transmitted properly to national
12 departments or designated agents for collection and they
13 have to have them into National within 30 days. There was
14 another point that he had there, but I missed it at this
15 point. Then in the bylaws, Article 4, Section IV, a member
16 whose dues for the current year have not been paid by
17 January 1 shall be classed as delinquent. By February 1,
18 they will be suspended from all privileges in the Legion.
19 If you're still under suspension on June 30 of such year,
20 the membership in the National Legion will be forfeited.
21 So and there -- the dues are due in October even though it
22 is for the next membership year 2021. So you can use that
23 with your post. Any questions? Thank you, Commander.

24 COMMANDER WILLIAMS: Okay. Please mark your
25 calendar, we will have a Spring Department Executive

1 Committee on February 22, 2021 at 1:00 p.m. at Post 152 and
2 that's located in Ashland, Missouri.

3 MR. BOARDMAN: Read that again please,
4 Commander.

5 COMMANDER WILLIAMS: Can you hear me now?
6 February 22, 2021 --

7 ADJUTANT FINLEY-JACKSON: February 27, it's on
8 the paper.

9 COMMANDER WILLIAMS: I said 27. February 27,
10 I have a country accent. That's the day after the 26th.
11 Does anyone have anything else for new business?

12 MR. GOTH: Mr. Commander, it just so happens
13 that the Washington Conference is February 28 through March
14 3.

15 COMMANDER WILLIAMS: Well, we will have to
16 check with the Adjutant.

17 MR. GOTH: If they have it.

18 COMMANDER WILLIAMS: I would like to announce
19 changes on appointment to our committees and commissions --
20 I'm repeating, is there any new business?

21 MR. GOTH: I can speak from here. I just have
22 some NEC information. We had a Zoom meeting on when -- was
23 that Rich?

24 MR. HEIGERT: 15th or 16th.

25 MR. GOTH: We went through a lot of

1 resolutions, passed them. You can get on the National
2 website, the archives, and you can look them all up. I
3 have a copy of it and Rich has a copy, but we talked and we
4 went through and there is three things that you probably
5 need to know. One of them has to deal with the riders,
6 which the director is going to bring that up. The other
7 two is they did a change to the Boy Scouts where you all
8 know that to be a Eagle Scout of the Year, you had to be
9 chartered through an American Legion Post. The scout troop
10 did. Well, now, if they are not affiliated with an
11 American Legion Post, if their parent -- either parent or
12 their grandfather or grandparents are active members -- or
13 not active -- a member in good standing from the Sons, The
14 Auxillary, and The American Legion, they are eligible to be
15 Eagle Scout of the Year, which I think that's pretty neat
16 because before it kind of cut a lot of people out. The
17 other is, and let me tell you, I'm not an attorney and I'm
18 not in insurance, but they passed that if you have
19 liability insurance you must contact your insurance carrier
20 and put in there that the Department of Missouri and the
21 National Headquarters are harmless if anything happens.

22 MR. BOARDMAN: Your post insurance.

23 MR. GOTH: Yeah, post insurance. Actually,
24 the Department has to also do that. There should be no
25 cost. This is what we were told, no cost to the Post. All

1 it is is writing, which you know if you have an attorney
2 sometimes it's not worth the paper it's written on, but --

3 JUDGE ADVOCATE STROM: Thank you.

4 MR. GOTH: Also, I don't know if you guys, a
5 lot of you heard that we had to two places, St. Louis and
6 Kansas City, trying for the 2025 National Convention.
7 Well, St. Louis was the first one thrown out because they
8 have stipulations on the convention center, which it states
9 in the RFP you cannot have. They threw out Utah and it's
10 between Kansas City and Tampa Bay. If we would not have
11 had to do this through Zoom, I'm not sure if Kansas City
12 couldn't beat Tampa Bay, but with Zoom, they had one thing
13 that Kansas City did not, that's called an ocean. Anyway,
14 it was awarded to Tampa Bay. Kansas City, I think, Lowry,
15 you got that letter didn't you? I thought they had a nice
16 letter for Kansas City. We only got Kansas City and St.
17 Louis. I would hope that Kansas City re-applies for the
18 2027, they will have a little time to get it because -- and
19 I do have the dates for National Convention. Hopefully
20 next year it will be August 27 through the 2nd in Phoenix,
21 Arizona. 2022 will be in Milwaukee, and then Charlotte,
22 then in 2024 New Orleans, and then Tampa Bay. If you
23 remember, Louisville was supposed to get it this year and
24 they got put to 2026. So we'll go to Louisville. Is there
25 any questions?

1 JUDGE ADVOCATE STROM: Clarification. Just so
2 you understand what he's asking you to do on the insurance
3 you're asking for a hold-harmless clause to be put into
4 your insurance for all organizational levels above you. So
5 if you're a post, it's department and national. If you're
6 department, it's national.

7 MR. GOTH: Any other questions?

8 JUDGE ADVOCATE STROM: So an issue was raised
9 up to me about the voting for the NEC and the alternate
10 NEC, which should have happened in 2020. The reason it's
11 an issue is that those a two-year terms and all the rest of
12 ours have one-year terms, so it makes it easy. The
13 question we have to look at deciding, and I will put it in
14 motion form, is whether come 2021 when we vote, we vote
15 them for one year, which would put them on track for even
16 years; or we vote them for three years. So when -- I will
17 put a motion forward on the one-year first. So if you vote
18 "no" that means you're either going to be no also on the
19 three or you're going to be a yes on the three. Does that
20 make sense? Is that all right if I -- questions? All
21 right. So I'm going to make a motion that our NEC and
22 alternate NEC would serve two-year terms and we're not
23 allowed or able to voted in this year in 2020 be voted for
24 a one-year term in 2021 to put us back on track for two
25 years terms. Second?

1 SR. VICE COMMANDER GRIGSBY: I will do a
2 second.

3 COMMANDER WILLIAMS: Okay. Any discussion?

4 MR. BOARDMAN: Yes, sir. Kerry Boardman,
5 Immediate Past Department Commander. On the one year all
6 you're during is making the people running, run immediately
7 again to do it again next year. That's a lot of work and
8 effort. With the pandemic, we all know our lives have been
9 all screwed up. I would ask you to vote no on the one year
10 so we can talk about the three year. It's more fair to
11 everybody. It's easier on everybody and it will put it
12 back on the right track. Thank you.

13 MR. SCARBOROUGH: George Scarborough, 5th
14 District. Also, I believe, correct me if I'm wrong, also
15 applies to our Judge Advocate, as well as our Treasurer,
16 right? They are on the even year?

17 ADJUTANT FINLEY-JACKSON: Aren't you on
18 one-year term?

19 JUDGE ADVOCATE STROM: I think I'm every other
20 year. So Finance, Judge Advocate -- is Chaplain a --

21 ADJUTANT FINLEY-JACKSON: Chaplain is a
22 one-year.

23 JUDGE ADVOCATE STROM: So Finance, Judge
24 Advocate, NEC --

25 ADJUTANT FINLEY-JACKSON: The Sergeant-at-Arms

1 is on a two-year also.

2 JUDGE ADVOCATE STROM: And Sergeant-at-Arms.
3 I hope you got that. So I amend my motion to include the
4 Sergeant-at-Arms, Judge Advocate, Finance.

5 UNKNOWN SPEAKER: Not all of those positions
6 were up for election in 2020.

7 JUDGE ADVOCATE STROM: All right. Let's just
8 stick with NEC and we can look at the others in February
9 because most of us others aren't really going to be
10 campaigning too much.

11 COMMANDER WILLIAMS: Okay. There is a motion
12 on the floor. Do we have a second?

13 SR. VICE COMMANDER GRIGSBY: Second.

14 JUDGE ADVOCATE STROM: I just did it in
15 numerical order, sorry, on the one-year. So we've done the
16 discussion, do we have the second?

17 COMMANDER WILLIAMS: All in favor signify by
18 saying "aye". All opposed?

19 (Unanimous nays.)

20 COMMANDER WILLIAMS: Motion not passed.

21 JUDGE ADVOCATE STROM: All right. So the
22 second motion is the same motion for NEC and alt NEC that
23 come next summer when we have our annual convention, that
24 we will elect them for a three-year period term, that will
25 put them back on a two-year, the even year election year

1 cycle.

2 SR. VICE COMMANDER GRIGSBY: Gary Grigsby,
3 Senior Vice, second.

4 COMMANDER WILLIAMS: Any discussion? All in
5 favor?

6 (Unanimous ayes.)

7 COMMANDER WILLIAMS: Opposed? Motion passed.
8 Okay. Now, I will go back. I would like to announce
9 changes in appointment to our committees and commission.
10 Baseball Commission: No changes. Finance Commission:
11 Listen close, I will appoint Harry Struempf to the Finance
12 Commission to replace Terry McDonald. Is there a motion?
13 Yes, that's it.

14 MR. BUCKWALTER: I move the recommended
15 changes be approved. Buckwalter, Finance Officer.

16 COMMANDER WILLIAMS: Any discussion?

17 UNKNOWN SPEAKER: Your DEC approved Terry
18 McDonald because he resigned and we put in Kerry Boardman
19 in his place.

20 COMMANDER WILLIAMS: No, not on finance.

21 UNKNOWN SPEAKER: No, I'm talking about for
22 the foundation and you didn't have that in there.

23 COMMANDER WILLIAMS: No, this is for finance.

24 UNKNOWN SPEAKER: You need to add that.

25 COMMANDER WILLIAMS: Well, let's finish this

1 one.

2 JUDGE ADVOCATE STROM: Do we have a second?

3 COMMANDER WILLIAMS: Yes. All in favor?

4 (Unanimous ayes.)

5 COMMANDER WILLIAMS: All opposed? Motion
6 passed. Let's back up.

7 UNKNOWN SPEAKER: What you and the DEC, they
8 approved Terry McDonald resigned and then Kerry Boardman
9 was the person to take it, to take his position. The DEC,
10 that's why I went to you with DEC, approve that. You have
11 to relay this to the body that that's what's going to
12 happen. You don't remember that?

13 COMMANDER WILLIAMS: I thought that was taken
14 care of.

15 UNKNOWN SPEAKER: Well, any time the
16 subcommittee makes decision between sessions, then the only
17 thing you have to do is report what you have done and you
18 haven't done that. That's all I'm saying. To the body.

19 COMMANDER WILLIAMS: Okay. So it's Kerry
20 Boardman instead of Harry Struempf?

21 ADJUTANT FINLEY-JACKSON: No. Kerry Boardman
22 was replaced in the foundation to replace Terry McDonald.
23 Do I have an approval?

24 ADJUTANT FINLEY-JACKSON: It was approved, you
25 just report it.

1 COMMANDER WILLIAMS: I have reported it. Now
2 back to the Finance Commission.

3 ADJUTANT FINLEY-JACKSON: No, Finance
4 Commission is done.

5 COMMANDER WILLIAMS: Let's move on. With the
6 passing of Legionnaire Musgrove, I will need a replacement
7 for Zone 3, Assistant Sergeant-at-Arms.

8 MS. NOONAN: I'll get back with you.

9 COMMANDER WILLIAMS: Okay. Is there other
10 business to come before this committee? Finance
11 Commission, Terry.

12 MR. LANNING: Okay. I will just speak from
13 here. The Finance Commission meeting this morning we heard
14 from CPA Amy Watson who discussed the Department July 31,
15 2019 audit. The audit for July 31, 2019 showed a surplus
16 of \$12,312.00. We are looking at the employee health
17 insurance for renewal this fall. The same health insurance
18 plan will renewal will be an increase of 1.4 percent.

19 Items that affected this year's budget: We
20 had LIT had a drop of \$17,525.00; The Missouri Veterans
21 Commission has decreased the grant money we were to receive
22 in this year from \$240,189.00 to \$155,049.00, this is a
23 decrease of \$85,140.00, which is a 35 percent drop. Right
24 now, I don't see in the near future that is going to change
25 much. These two items has a reduction of revenue of

1 \$102,665.00. Last year we had a total reduction in
2 expenses of \$39,406.00 caused by the Coronavirus and
3 cessation of activities. But this is still \$63,259.00
4 below the loss of \$102,665.00 in revenue. We are going to
5 look at ways to reduce cost and raise more money to try to
6 offset that difference.

7 One action the Finance Commission recommends
8 is that an employee hiring freeze without Finance
9 Commission approval for a new employee and that will be
10 effective immediately if you approve my report. That's it.

11 COMMANDER WILLIAMS: All right. Thank you.

12 MR. LANNING: Any questions?

13 COMMANDER WILLIAMS: Okay. You just heard the
14 financial report, is there a motion?

15 SR. VICE COMMANDER GRIGSBY: Gary Grigsby,
16 Senior Vice, I move we accept the financial report.

17 COMMANDER WILLIAMS: Second? Any discussion?

18 MR. BOARDMAN: Kerry Boardman, Immediate Past
19 Commander. So by approving the report, we are approving
20 the hiring freeze?

21 MR. LANNING: Yes. By approving the report,
22 you are approving the hiring freeze. Right now we have got
23 one spot open in Poplar Bluff. With the stipulation to
24 have a rehire that either Tracy or Lowry is going to have
25 to come to the Finance Commission and make a case to have a

1 hire. Otherwise, we won't have a hire temporarily.

2 MR. ADAMS: I got a question, Frank Adams,
3 District 14. So you're saying that there is not going to
4 be any representation or service officer for any of
5 Southeast Missouri? That's true because that's what's
6 missing in Poplar Bluff. That is the employee they're
7 talking about. He was only a temporary employee -- not
8 temporary, but a part-time employee but you don't even want
9 that.

10 MR. LANNING: What we're saying is for Tracy
11 to have a hire there, she is going to have to make a case
12 to the Finance Commission to fill that position. The
13 Commission will have to approve that or not. That's what
14 we are saying.

15 MR. ADAMS: I can tell you now that's crazy
16 because we haven't had one for over a year down there. We
17 have to actually call and fax back and forth to St. Louis
18 because you can't see anybody. If it's a new case, they
19 can't do anything with it. I have dealt with that recently
20 with a bunch of people. Now you're making it harder and
21 it's going to stay that way. Your report, if that's
22 approved, sucks.

23 MR. LANNING: I'm not saying we won't fill it.
24 I'm not saying we will fill it. I'm saying the case is
25 going to have to be made for it to be filled. With us

1 looking at \$100,000.00 deficit in revenue, it's going to
2 have to be a pretty good case before the Commission will
3 approve it.

4 MR. ADAMS: You're looking at a bean county, I
5 understand that. We're looking at helping veterans, but
6 you're saying you're not going to get anyone for, like, all
7 of Southeast Missouri below St. Louis. Almost going to,
8 you know, Springfield, there is nothing going to cover that
9 area. That's what you're saying because you -- I think
10 it's crazy to put that in your report.

11 MR. LANNING: Well, for the Legion, you're
12 right.

13 MR. ADAMS: For the veterans, I'm correct.

14 MR. LANNING: I understand the DAV and the VFW
15 have positions down there, and the State of Missouri has
16 people down there.

17 MR. ADAMS: No, the State of Missouri does not
18 because they don't answer any calls. I can give you the
19 phone number and all of their voicemail is full. The only
20 people that are working were the American Legion and they
21 have a part-time guy that volunteers at the DAV and the
22 VFW. I go there every two weeks and you cannot get in.

23 JUDGE ADVOCATE STROM: Cassie Strom, Judge
24 Advocate. How long is the hiring freeze for?

25 MR. LANNING: Well, we are not sitting a date.

1 We can take it off whenever, but right now, I'm looking at
2 this to be short-term. I'm not going to set and say six
3 months or a year. I don't know when we want to take it
4 off. We are looking at other ways to try and cut cost, but
5 you know, our costs, we have a good chunk that its VA and
6 VR of our budget. Then the rest of it is through a lot of
7 other things the. Headquarter's office, we've got
8 overhead. We got all the travel cost. We have program
9 cost. We got a newsletter. It's all over the board. So
10 to try to offset that \$100,000.00 because if we don't
11 offset the \$100,000.00 then are we going to come back to
12 you all for a dues increase in two or three years? We are
13 not going to do that. When we had the dues increase, I
14 projected out as to how long it was going to last, I was
15 looking at least six to eight years for the dues increase.
16 But now you take \$100,000.00 out for each year right at the
17 beginning, that's going to have a big impact.

18 MR. ADAMS: It may be a big impact down there.
19 They had a part-time employee trained and two days later he
20 was jerked out of there after training. There is nobody
21 there. So to get a claim if you're working on one, you
22 have to call up there. They call you back. They are
23 really great about that. They can work with your existing
24 claim, but if you're a new claim, they just -- they are
25 having to wait until they can open up an office. That

1 part-time employee stopped that.

2 MR. ANDERSON: Bill Anderson, District 6.
3 Terry, didn't last year didn't we go over all of this in
4 the budget and that was why we moved people down to
5 part-time and reduced all of the benefits for a bunch of
6 the employees?

7 MR. LANNING: Yes.

8 MR. ANDERSON: Now we are back here again this
9 year saying we are not going to help veterans in a given
10 area because we got a hire freeze. That makes no sense to
11 me. Is not our purpose to help veterans?

12 MR. LANNING: I agree. When we approved the
13 budget at that time, yes, we took three full-time employees
14 to part-time. We cut some travel and we had other things
15 that we did.

16 MR. ANDERSON: And we had a big argument over
17 that at that time and now you're asking for more.

18 MR. LANNING: No, what I'm saying is since the
19 approval of the budget, which was May, we've had these two
20 things have happened. One we lost \$17,000.00 LIT money,
21 which our commission we get. I don't know if that's going
22 to come back. We may get a little back, but I don't know.
23 The LIT money is the insurance programs that we all go
24 into. If you have less people on the insurance program,
25 our commission is less. The other one that has really

1 taken a big hit is State grant money and we are losing
2 \$85,000.00. I don't think that's coming back and Lowry
3 doesn't think it's going to either. We have \$85,000.00 we
4 have to make up somewhere. Where are we going to do that?
5 That's a lot of money. All I'm saying is that we should
6 have a hiring freeze until we figure out exactly where we
7 are going to make the cuts and see where we are going to
8 go. I'm going to be asking Lowry, Tracy, and John
9 Buckwalter for recommendations on spending cuts and revenue
10 increases. Revenue increases is not easy to do.

11 MR. BOARDMAN: Kerry Boardman, Immediate Past
12 Department Commander, I don't want to get in to where a
13 committee starts hiring and firing people. I understand
14 this needs to go through the finance and we got this money
15 or we don't have this money. I don't want to set a
16 precedent where committees start hiring and firing. I
17 don't think it's Finance's job to hire and fire. It's
18 whoever is in charge of whoever. In that case it would be
19 Tracy, which she is working with the Finance Committee, but
20 I don't want to set the precedent where we do this. I'm
21 totally against it.

22 MR. GILFILLEN: Bud Gilfillen, District 4
23 Commander. So if we have the hiring freeze and we approve
24 it, does that offset the \$63,000.00 or are we still going
25 to have to offset more money?

1 MR. LANNING: No, there is going to have to be
2 a lot more we're going to have to offset.

3 MR. GILFILLEN: So this is only going to get
4 us part of the way there, it doesn't get us all the way.
5 So what you're giving us right now is a partial solution,
6 but we don't have a 100 percent solution to solve the
7 problem yet?

8 MR. LANNING: Correct, yes.

9 MR. SAPP: Brian Sapp, District 8. I
10 understand the need to find a solution to the problem, but
11 I think everybody here would probably feel a lot better if
12 we had a finite end date and make this a temporary, you
13 know, we'll give it six months or until the next DEC
14 meeting to come up with a better solution and then make an
15 act on it. Not just an open-ended we are not going to hire
16 anybody until whenever.

17 MR. LANNING: Let's see if I got -- let's say
18 the freeze will be on until Department Convention, which is
19 basically seven month or eight months. Like I said, if
20 Tracy and Lowry can make a position to hire somebody in
21 whatever that empty spot is and if my commission approves
22 it, then it gets -- that person gets hiring or that
23 position gets filled. So let's say to the Department
24 Convention, is that okay with you?

25 MR. BUCKWALTER: I don't want to misunderstand

1 something, but whatever we -- information we get or
2 whatever you approve of for us to do, it has to come back
3 to the DEC to approve our recommendation; am I correct?

4 MR. LANNING: Yes.

5 MR. BUCKWALTER: We just look at the facts.
6 Tracy is going to say the justification for this person and
7 here is why, and then the Commission will look at it,
8 Finance, and then we'll make our decision on what we should
9 do. It comes to the DEC, we make recommendation. We are
10 not making policy. The DEC is the only one that can
11 approve this.

12 JUDGE ADVOCATE STROM: I would like to amend
13 the motion. I want to make a motion to implement the
14 recommendation of the Finance Commission for the hiring
15 freeze for the period between now and the annual convention
16 in July.

17 COMMANDER WILLIAMS: Okay. There is a motion,
18 I need a second.

19 JUDGE ADVOCATE STROM: A made a motion to
20 amend it.

21 COMMANDER WILLIAMS: Okay. We passed a
22 discussion. We are --

23 SR. VICE COMMANDER GRIGSBY: I will second it,
24 Gary Grigsby Sr. Vice, I'll second the amended motion.

25 COMMANDER WILLIAMS: Okay. Now we're down for

1 discussion.

2 JUDGE ADVOCATE STROM: Motion is to implement
3 the recommendation of the Finance Committee to put a hiring
4 freeze in place until July of 2021 at the annual
5 convention, the Department Annual Convention.

6 COMMANDER WILLIAMS: Okay. The first is on
7 the amended motion. Do I have a second on that? Any
8 discussion? All in favor signify by saying "aye." All
9 opposed?

10 MR. BOARDMAN: You're going to have to do it
11 by hand.

12 COMMANDER WILLIAMS: Now, let's go down to it.

13 ADJUTANT FINLEY-JACKSON: We're going to have
14 to have a roll call vote. We are voting on the amendment,
15 correct?

16 JUDGE ADVOCATE STROM: Yes.

17 ADJUTANT FINLEY-JACKSON: Senior Vice Gary
18 Grigsby?

19 SR. VICE COMMANDER GRIGSBY: Yes.

20 ADJUTANT FINLEY-JACKSON: Zone I Vice
21 Commander?

22 MR. MADDOX: Nay.

23 ADJUTANT FINLEY-JACKSON: Zone II Vice
24 Commander? Sorry, he's absent. Nevermind. Zone III Vice
25 Commander?

1 MS. NOONAN: Yes.

2 ADJUTANT FINLEY-JACKSON: Zone IV Vice

3 Commander?

4 MR. BAKER: No.

5 ADJUTANT FINLEY-JACKSON: NECman?

6 MR. GOTH: I vote yes as long as the DEC makes
7 that decision.

8 ADJUTANT FINLEY-JACKSON: That's what we're
9 voting on. Immediate Past Commander Kerry Boardman?

10 MR. BOARDMAN: Yes.

11 ADJUTANT FINLEY-JACKSON: Judge Advocate?

12 JUDGE ADVOCATE STROM: Yes.

13 ADJUTANT FINLEY-JACKSON: Finance Officer?

14 MR. BUCKWALTER: Yes.

15 ADJUTANT FINLEY-JACKSON: Chaplain is not
16 here. Sergeant-in-Arms?

17 MS. COATS: Yes.

18 ADJUTANT FINLEY-JACKSON: 1st District

19 Commander?

20 MR. MILLER: Yes.

21 ADJUTANT FINLEY-JACKSON: 2nd District

22 Commander?

23 MR. ALLENDER: Yes.

24 ADJUTANT FINLEY-JACKSON: 3rd District

25 Commander?

1 MR. MILLISON: Yes.

2 ADJUTANT FINLEY-JACKSON: 4th District

3 Commander?

4 MR. GILFILLEN: No.

5 ADJUTANT FINLEY-JACKSON: 5th District

6 Commander?

7 MR. MALONE: Yes.

8 ADJUTANT FINLEY-JACKSON: 6th District

9 Commander?

10 MR. ANDERSON: No.

11 ADJUTANT FINLEY-JACKSON: 7th District is not

12 here. 8th District commander?

13 MR. SAPP: No.

14 ADJUTANT FINLEY-JACKSON: 9th District

15 Commander?

16 MR. HIBRICK: Yes.

17 ADJUTANT FINLEY-JACKSON: You don't get to

18 vote again. 13th District Commander?

19 MR. DECLUE: Yes.

20 ADJUTANT FINLEY-JACKSON: 14th District

21 Commander?

22 MR. ADAMS: No.

23 ADJUTANT FINLEY-JACKSON: 15th District

24 Commander?

25 MR. BARTLEY: No.

1 ADJUTANT FINLEY-JACKSON: 16th District
2 Commander?

3 MS. HIRSCH: Yes.

4 ADJUTANT FINLEY-JACKSON: 17th District
5 Commander?

6 MR. REED: No.

7 ADJUTANT FINLEY-JACKSON: Give me a minute I
8 got to count this up. Okay. Well vote.

9 MR. HEIGERT: Yes.

10 ADJUTANT FINLEY-JACKSON: I'm going to put you
11 done as a yes, right. We are checking the bylaws real
12 quick.

13 JUDGE ADVOCATE STROM: Give me a paragraph.
14 Not everyone that's a member gets a vote, right.

15 MR. HEIGERT: Just for you to find this,
16 National Guard Commanders as long as they are seated as the
17 position on the DEC while they hold that office, they are
18 entitled to a vote. If you are a Past National Commander,
19 Past National Commander can vote any time for life. The
20 National Vice Commander only goes while he's on the DEC
21 during his term. It's in there.

22 COMMANDER WILLIAMS: Listen up, yes, we have
23 it. Yes, we have it. Okay. On the motion, we are going
24 to vote on the motion. Is there a motion? Do we have
25 second? All in favor?

1 MR. GILFILLEN: What motion are we voting on?
2 There was an amendment.

3 SR. VICE COMMANDER GRIGSBY: We voted on the
4 amendment to the motion. That has just passed. Now we go
5 back to the motion to vote, so we have to vote on the
6 motion as amended.

7 JUDGE ADVOCATE STROM: Do you want me to
8 restate it? All right. So we are voting on implementing
9 the recommendation by the Finance Committee to put in place
10 a hiring freeze until the annual convention, I guess
11 July 2021, in July 2021; does that sound correct?

12 MR. LANNING: I was stipulating that we could
13 hire if Lowry or Tracy provides justification for the
14 position and if the Finance Commission approves that hire.
15 So I was trying to allow where it can be filled if we feel
16 like the need is there.

17 JUDGE ADVOCATE STROM: Then what's the point
18 of a hiring freeze?

19 MR. LANNING: I'm not saying we are going to.
20 They will have to justify to the Finance Commission's
21 satisfaction that the hire is needed. We may disapprove
22 it.

23 JUDGE ADVOCATE STROM: All right. That's not
24 the amendment that we just voted on, so we we still have to
25 still dispose of this amendment.

1 MR. BUCKWALTER: Can we withdraw the amendment
2 and start this disaster over?

3 JUDGE ADVOCATE STROM: Why don't we just vote
4 on the amendment because we've already approved it as the
5 amendment. The amendment is not as Terry stated. It was
6 just that we were putting a hiring freeze on until the
7 summer, until the July 2021 annual convention.

8 MR. LANNING: If that's what the DEC wants
9 then that's what will happen.

10 MR. GOTH: I think we would have done a lot
11 better if you would have said we would recommend a hiring
12 freeze and if the person comes to the DEC so, you know, and
13 it's feasible that we hire them, the DEC says, yes, hire
14 them. That way it doesn't sound so much like the -- your
15 commission is saying who is going to be here or not be
16 here. I understand but it's worded -- the way you're
17 wording it is -- a lot of people don't --

18 MR. LANNING: If you don't want the Finance
19 Commission involved in that decision, that's fine. Then
20 you can bring it --

21 MR. GOTH: That was your recommendation.

22 MR. LANNING: That's how, we recommend. If
23 you want to change it, that's up to you.

24 MR. GILFILLEN: Commander Bud Gilfillen, 4th
25 District. Point of order, can we entertain a motion to

1 table this motion right now until the next DEC meeting so
2 we don't have to keep going down this path and then we can
3 start out with a clean motion?

4 JUDGE ADVOCATE STROM: I'm in 100 percent
5 agreement with you, I'm just trying to find the right
6 process.

7 MR. GILFILLEN: It should be a motion to table
8 and then we vote on the motion to table until the next
9 meeting.

10 COMMANDER WILLIAMS: Would you like to make
11 that motion?

12 MR. GILFILLEN: I make a motion that we table
13 this until our next DEC meeting and then we continue this
14 discussion after we approve that.

15 COMMANDER WILLIAMS: Okay. The motion has
16 been made. Do we have a second?

17 MR. ANDERSON: Bill Anderson, District 6,
18 second.

19 COMMANDER WILLIAMS: Any discussion? All in
20 favor signify by saying "aye."

21 (Unanimous ayes.)

22 COMMANDER WILLIAMS: All opposed? Motion
23 passed.

24 JUDGE ADVOCATE STROM: Can I make a comment?
25 So I will try and put together and I will actually work

1 with Gary because he's good on just some basic rules for
2 committee's reporting and making motions because we really
3 get in this mess every time. So we'll try and put
4 something out for you that we can use.

5 COMMANDER WILLIAMS: Okay. Moving on.
6 Foundation, David Voyles.

7 MR. GILFILLEN: Point of order, we still in
8 need to approve the Finance Committee's report, but we
9 didn't do that. No, we tabled the motion the way it was
10 put before the floor. We can make a new motion at this
11 time to approve the report and if we want to reword the
12 hiring freeze part. What I'm trying to do is get us to
13 start out fresh because everybody is confused by the last
14 one. Let's start out with a fresh one, let's just approve
15 the report and move from there.

16 JUDGE ADVOCATE STROM: So you don't need to
17 make a motion if there is no action being taken. Basically
18 the only recommendation you have just tabled. So you get
19 yourself into a problem by now going back and approving
20 because --

21 MR. GILFILLEN: We still have to approve the
22 report.

23 JUDGE ADVOCATE STROM: It's just
24 informational.

25 MR. GILFILLEN: He can make the report.

1 JUDGE ADVOCATE STROM: It doesn't have to be
2 moved on and approved if it's just informational and no
3 action required. Okay.

4 COMMANDER WILLIAMS: That's clear. Okay David
5 Voyles, Foundation.

6 MR. VOYLES: Two things I want to touch on.
7 We just had a baseball meeting last week and we was at
8 Ashland, Missouri, which was Post 152. We discussed about
9 baseball what the situation is going to be this year. Gary
10 Stone and the commissioners, we all agree, that even if
11 National this year says they're not going to have baseball,
12 we as a Commission, Baseball Commission, want to have
13 baseball because if we don't do this, we are going to be
14 losing all of these teams to other leagues. Now the DEC
15 has a final decision on these. We make a -- the Baseball
16 Commission will make a recommendation to the DEC to keep
17 baseball going. Now, if you choose not to, that is your
18 prerogative. If you don't, then we not have baseball
19 anymore. So we are in a catch 22. So we are trying to do
20 the best we can to keep this program going. Gary Stone has
21 been our Chairman for many years. He is also the Chairman
22 of the National Baseball Commission. So we are taking
23 everything in consideration with what is going on. If
24 anybody wants to come December 5 at Ashland, Missouri, Post
25 152 at 11:00 we will be starting another baseball meeting

1 to try to discuss some of this stuff. If you are
2 interested and you're around, you are welcome to come.
3 We've got nothing to hide. So that's one thing about
4 baseball you need to know what's going on.

5 The other thing is the foundation. We had
6 investors come down and tell us about our portfolio and how
7 we are doing. I got to put some glasses on because I can't
8 read without them. As you all know that the -- back in
9 March, March 3 of 2020, we had \$709,000.00. We lost -- on
10 January 31, we had \$830,000.00. So we, in our portfolio,
11 lost over \$100,000.00. I got better news. Now, as of
12 today, we in our portfolio, we have \$890,000.00 in the
13 foundation, which is very good. We have been good
14 averaging for all these years better than 3 percent per
15 year. Unfortunately, this issue that we have this year and
16 that we may have it next year, we are doing well. He said
17 our portfolio looks good. We also have additional sweep
18 money, which is cash money just in case we need it. We are
19 going to have probably over \$30,000.00 in sweep money. The
20 Foundation Commission decided to wait before we invest that
21 \$30,000.00 into our portfolio until after the election. We
22 don't, you know, I'm not saying who is going to win. We
23 want to see whoever wins, the repercussions of the stock
24 market. If there is no repercussion, that's fine.
25 Sometimes after the election, the stocks go down. If we

1 can buy into at a lower price and then later on as it gets
2 better, we will come up way ahead. So that's the situation
3 what we are doing. The portfolio and the Foundation is
4 great, believe me. We got a lot of good people in there
5 and Wells Fargo and basically is part of what we are doing.
6 They have been good for us for all of these years. I'm
7 talking about 20 or 30 years, so that's where our
8 portfolio. Okay.

9 Everyone, I put out -- this is our brochure.
10 The reason why this brochure is brand new is because of the
11 Legion Act. It allows people to become American Legion
12 members as of 1941. So questions about that you got to
13 understand something is that should give us more people to
14 be able to bring us back in. I'm not here to talk about
15 membership. That's not what I'm here for. This explains
16 very well if you want -- if want to setup a fund for one of
17 your loved ones or whatever. If you look in this here, my
18 son has got a scholarship in this and basically the reason
19 why I wanted to do that is because I wanted to keep his
20 name circulated even though a lot of people won't know him.
21 So I went to the high school and talked to their principal
22 and he basically said the same thing, that, you know, after
23 a while they wouldn't know him. So I decided to invest it
24 in the foundation and it's been very well been going. What
25 we're trying to setup and what we did on this commission

1 this week what we want to do is to reach a \$1.2 million in
2 our portfolio. If we can do this, then we as a foundation,
3 can donate the \$17,500.00, plus the \$6,800.00 you give for
4 the oratorical. So we are going to contribute \$24,000.00,
5 the Foundation, into the Department to help them meet some
6 of the cost. It has nothing to do with membership, just
7 help them whether we give them raises or equipment we need
8 or whatever. But to be able to do this, we have to reach
9 out and we are going to try to reach out to the districts.
10 We are going to try to reach out to the posts and we need
11 your help. If you understand, we have helped National and
12 they got a lot of good programs. The Legion Riders, as a
13 whole, they donate \$1 million to National when they have
14 their regular run. Dennis knows that. I know that.
15 That's the best thing that's ever happened. Okay. But we
16 need and I'm asking for help for us, our own selves, as for
17 the Department. So we need to go out there and explain why
18 we would like to reach our \$1.2 million to be able to
19 support the Foundation to be able to support all of the
20 scholarships. If we get more in there, we can possibility
21 somewhere down the road to raise the scholarship. We got
22 the \$1.2 million, that's our earmark to try to make. So I
23 have asked all our Commission to get out there and talk to
24 their district and talk to their post and that's why I gave
25 you these brochures if you find somebody who wants to have

1 a portfolio for their loved ones or something, it tells you
2 how to do this and it's taxable. 501(c)(3), so they can
3 deduct this. My district last year donated \$200.00. This
4 year I twist the District Commander's arm and we are going
5 to donate \$500.00 from our district. As long as we can
6 keep our head above water, we can do that. I'm not asking
7 for a certain amount. Whatever you can give or spar,
8 that's what we need to do. We want to keep the status that
9 we are doing this for a public status, not a private
10 status. If we get to the point we can't keep a certain
11 percentage, if we go to a private status, we have to pay
12 taxes. The way it is right now, as long as we stay as a
13 public status we don't pay taxes on it. So that's why we
14 need this. Nobody on this Foundation Commission gets paid.
15 Nothing. We volunteer. If there is anything I can do or
16 help or explain, I'm willing to come down to your area, but
17 that's what we need to hear. So I hope things turn out.
18 So with that, I'm asking for your help. Commander, thank
19 you for your time.

20 COMMANDER WILLIAMS: I recommend that we
21 accept the Foundation's report coming from David Voyles.
22 Okay. Next we have American Legion Riders, Don Gerspach.

23 MR. GERSPACH: Thank you, Commander. Don
24 Gerspach, American Legion Riders Director. I would like to
25 first express my gratitude in that of the Riders and The

1 Legacy Foundation and the National Commander for our
2 participation in the American Legion Legacy Foundation
3 fundraising efforts this year. Myself, Brian Sapp, and
4 Kristen Sapp just participated in a Pony Express ride from
5 across the country. It started in California and ended in
6 Indianapolis at National Headquarters where we presented a
7 check to the National Commander of \$46,000.00 from the
8 Department and one for \$1,500.00 from Unit 21 in
9 Independence. We totaled \$47,500.00. This was by far the
10 largest single donation of any department on that day and
11 probably still holds true. There was \$84 -- \$83,000.00 and
12 change and we had donated \$47,500.00 of that. So great job
13 to everybody. Sincere thanks to all of the posts, the
14 units, and squadron, and chapters. Please pass along our
15 appreciation.

16 There were two changes made recently. One of
17 them is at the state level was the Helmet Choice Law. Not
18 everyone may know about this, but now motorcycle riders
19 have a choice of whether to wear a motorcycle helmet or not
20 if they are over the age of 26, if they are riding on a
21 regular license and not a permit, and if they are not a
22 member of the military. One of the things that we need to
23 impress is that this is -- what happens with that is a
24 decision that has to be made by the Post Commander who is
25 responsible for the Chapter that is a program of his post

1 and the chapter director. They need to talk about what
2 they want to do with that. What my post has done is there
3 is no restriction on the riders unless they are performing
4 a function for the post or chapter. If they are
5 representing the post, they must wear helmets. Other than
6 that, they follow state laws to wear a helmet. At
7 department level, the Legacy Fund or Legacy Ride every
8 year, and any ride that originates from a department
9 function, conference or convention, everyone will be
10 required to wear a helmet. Now, not everyone at the post
11 level may be following this law because they are not
12 necessarily interested in the helmet law. But I think it's
13 something that needs to be put out to the post commander so
14 that the ones with chapters can have a discussion with
15 their chapter and with their insurance companies.

16 So what I propose to do is I will send a copy
17 of the verbiage of this law to Lowry, the Adjutant, and
18 have her distribute that to the district commanders who can
19 further distribute that to the post commanders who are
20 riders chapters. This is the best way to get the
21 information out. I have said it to all of the department
22 chapter directors, whether that get to the post commander
23 or not, I can't guarantee. So the best way to do that is
24 to get it out to them.

25 The other thing that has recently taken place

1 is the Resolution 19 recently approved by the NEC just this
2 month. It combines the two resolutions that previously
3 govern the American Legion Rider Program nationwide. It
4 adds two requirements. One is the naming convention
5 whereas American Legion Riders in leadership positions,
6 directors and assistant directors, can only be called
7 director or assistant director. It bans and forbids the
8 verbiage of president and vice president and past president
9 and past president. Specifically because it gives the
10 impression of club formation. It doesn't belong to the
11 American Legion family norm where each different unit in
12 the family has got its own name. Commanders use and
13 presidents use by the units and chapters use directors. So
14 it standardizes everything across the board and keeps us in
15 line with not trying to present you ourselves as a club.
16 So I will include with that helmet law e-mail, I will send
17 that along to Lowry to have distributed down to the post
18 commander so they are aware of that because they are have
19 got to impress some of these things on their chapter
20 directors.

21 The other thing this stipulates, which is
22 creating a little bit of an uproar is if you are wearing
23 American Legion Rider regalia of any type, you will not
24 openly display a weapon. Now, this is not normally a
25 problem. It's not a problem in Missouri, but it is a

1 problem in some states where the general public and the
2 membership, especially the age membership, look at display
3 of weapons, open carry guns, and large knives as
4 threatening. We don't want to do that, so we are
5 forbidding that. In constitutional carry states or conceal
6 and carry states, nobody's rights are being violated. They
7 are not saying you can't carry. They are just saying you
8 can't do it when you dress like this. We have several
9 stipulations that require us to take action. Taking part
10 in electioneering or political activities while wearing
11 this is also -- wearing any gear, that is not a violation
12 of your rights. So those two things and I will get that to
13 Lowry.

14 The other thing is the Legacy Ride is being
15 worked on as we speak for this next year. I would like you
16 to put the last weekend in June on your calendars.
17 Everyone is invited. The more the merrier. We had a
18 pretty good turn out of our senior officer at the Legacy
19 Ride. It's well appreciated. We make a lot of money
20 getting them to do things like putting on a tutu for you.
21 So the more senior level leadership we can get involved --
22 and you can drive your car or ride on the back of
23 somebody's motorcycle. One day, a part of the day, the
24 whole three days; anything you can do to come out is
25 greatly appreciated and welcomed. Thank you, Commander.

1 COMMANDER WILLIAMS: Thank you. Is there
2 further business?

3 ADJUTANT FINLEY-JACKSON: So in your packet
4 you have a press release, which I would like you to turn
5 your attention to. It's for the Missouri National Guard
6 Hall of Fame. The Missouri National Guard is starting a
7 Hall of Fame, so if you know any Missouri National Guard,
8 men or women, who you think are eligible for this program,
9 please contact me. I will give you more information. I
10 didn't bring enough of them to pass around and I apologize
11 for that. I just stuck them in the District Commander's
12 packet. Their office will be located in Kirksville and
13 they are also looking for some members to serve on their
14 board. If you are interested in serving on the Board of
15 the Missouri National Guard Hall of Fame, please give me a
16 call and let me know. They don't have any real criteria.
17 I just got this a couple of days ago.

18 The other thing is National will be holding
19 what's called Training Tuesday. If you currently use
20 "mylegion.org" for your post, you want to get onto this
21 training on Tuesday. We are trying to get the link put up
22 on to our website so that you won't have to, you know,
23 because it's down here on -- it's not on the paper, get the
24 link on our website. They are new. They are going from
25 "mylegion" to a new program, transfer. Apparently, it's

1 going to take a little bit of work. It's supposed to start
2 at the end of November, but they want to start getting us
3 trained on it now. So if you use "mylegion" for your post,
4 in any capacity, you need to be on this training on
5 Tuesday. It's at 6:00 our time, 7:00 Indianapolis time.
6 Again, we going to try to get the link on the website. If
7 not, just e-mail me and I'll send you a link, but you need
8 to be on this training because that will alleviate you
9 calling up to the Department and asking 1,000 questions.
10 It's new to us also. We'll be on the training, so we'll
11 all learn together. You got time to be on that training,
12 that's at 6:00 on Tuesday and you use "mylegion", please be
13 on there. If you currently use aim, some posts know what
14 I'm taking about, it is going away effective the end of
15 December. So you will only be able to process on this new
16 program. Please be on the training if you can on Tuesday.
17 Any questions?

18 JUDGE ADVOCATE STROM: I also sent around on
19 the tables, a press release but this is not for the
20 National Guard Hall of Fame. It's on Missouri Veterans
21 Hall of Fame. This organization was actually brought into
22 being at our annual convention in 2019. A group of folks
23 got together during that time. Our first four inductees
24 are going to be inducted and we are going to have the
25 ceremony this coming Friday at Capitol building in the

1 rotunda at 2:00 p.m. What's cool is that two of the
2 inductees of the first class of the Hall of Fame are
3 American Legion members. One is Joe Frank, who is going to
4 be attending in person. The second one Oppie Owens out of
5 the St. Louis Service Women Post 404. So anybody is
6 welcome. You have to wear facemask. We have to follow the
7 rule of the Capitol building in terms of social distancing
8 and all of that. It shouldn't be real long, but it should
9 be a nice ceremony. Questions?

10 COMMANDER WILLIAMS: Good of the Order?

11 MR. VOYLES: I would like to meet with the
12 members of education and scholarship committee who are here
13 after this meeting adjourns.

14 COMMANDER WILLIAMS: Anyone else? Okay.
15 Mileage approval, do we have a motion?

16 MR. ANDERSON: Bill Anderson, District 6, so
17 moved.

18 COMMANDER WILLIAMS: Second?

19 SR. VICE COMMANDER GRIGSBY: Sure.

20 COMMANDER WILLIAMS: Any discussion. All in
21 favor?

22 (Unanimous ayes.)

23 COMMANDER WILLIAMS: Opposed?

24 ADJUTANT FINLEY-JACKSON: Please remember
25 mileage is one way for this meeting. Make sure you get it

1 up here to me before you leave.

2 ADJUTANT FINLEY-JACKSON: Motion passed.

3 Listen up, this is a reminder, the Oratorical Contest will
4 be held at 1:00 p.m. on Sunday, February 28, 2021 at the
5 Southern Boone High School in Ashland, Missouri. Any
6 further business? I now declare this meeting of The
7 Department of Missouri American Legion Executive Committee
8 meeting duly adjourned.

9 (Hearing concluded at 1:59 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Jenna Petree, do hereby certify that the witness whose testimony appears in the foregoing deposition was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Court Reporter

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