

# Veterans Assistance Commission of McHenry County

## By-Laws



McHenry County Government Center,  
2200 N. Seminary Ave., Woodstock, IL 60098

Revised and approved 18 November 2009  
18 April 2012  
18 July 2012  
17 January 2018

**Article I  
Name**

Section 1. The name of this Commission shall be Veterans Assistance Commission of McHenry County referred to as "Commission".

**Article II  
Purpose**

Section 1. The purpose of the Commission is to promote the welfare of all Honorably Discharged Veterans of McHenry County and their families.

Section 2. To have general oversight of the distribution of all assistance that may be appropriated for the benefit of all Honorably Discharged Veterans of McHenry County and their families.

Section 3. To administer and process all government claims referred to the Commission.

Section 4. To act as the central service office for all Veterans Organizations in McHenry County.

Section 5. To formulate such rules and regulations in the Commission that will enable it to carry out the purpose set forth above.

**Article III  
Jurisdiction**

Section 1. The territory to be included within the jurisdiction of this Commission shall be the geographical limits of McHenry County.

**Article IV  
Office**

Section 1. The headquarters and principle office space of this Commission shall be provided by McHenry County.

**Article V  
Membership**

Section 1. The membership of this Commission shall be composed of one Delegate and one Alternate from any Unit, Post, Camp or Chapter of any recognized Veterans Organization interested in the object and purpose of this Commission. The Veterans Organization must qualify under the Illinois Compiled Statutes, subject to rules and regulations governing admission, and may apply to become active members. All Posts, Camps, Ships, or Chapters of recognized veterans organizations requesting membership in this Commission must have an office, headquarters, post home, or Other official domicile located within the geographic limits of McHenry County. All Delegates and Alternates shall be certified in writing and signed by the presiding officers of their respective Post, Camp, or Chapter, each January. The completed document shall be sent to the VAC Office no later than the last business day in February.

Section 2. Each organization and Delegate is entitled to one vote, which may be cast only if the Delegate or his Alternate is present.

Section 3. No one Delegate or Alternate shall be permitted to vote for any organization other than those they officially represent.

## **Article VI Nominations and Elections of Officers**

Section 1. Elective Officers of this Commission shall consist of Chairman, Senior Vice Chairman, Junior Vice Chairman, Judge Advocate, and Sergeant-At-Arms.

Section 2. At the regularly scheduled meeting held the third Wednesday in October, nominations will be opened for Elective Officers.

Section 3. All nominations shall be from the floor of the membership present the candidate receiving the majority vote for each office shall be elected. Elections shall be by written ballot unless no contest.

Section 4. All officers shall be elected at the November meeting for a term of two years and all officers so elected shall assume their duties 1 December, following their election, and shall continue in office for two years or until their successors are regularly elected. Three officers the Chairman, Junior Vice Chairman and Judge Advocate will be elected in even numbered years and the Senior Vice Chairman and Sergeant-At-Arms will be elected on odd numbered years. For the year 2010 elections, the Chairman, Junior Vice Chairman and Judge Advocate will be elected for a two year term. The Senior Vice Chairman and Sergeant-At-Arms will be elected for a one year term.

Section 5. Officers may be elected from any Unit, Post, Camp or Chapter and must be serving as a Delegate or Alternate from those organizations, or a current elected Officer of this Commission at the time of election and must be in good standing with the Commission. A Delegate and Alternate from the same Unit, Post, Camp or Chapter may not hold elected offices concurrently.

Section 6. Vacancies in any office occurring during the year shall be filled by the members of the Commission. A vacancy shall exist when an officer is absent from regular meeting of the Commission for three (3) consecutive meetings. Excused absences will not count against the office.

Section 7. Commission officers automatically become Alternates from their Unit, Post, Camp or Chapter.

Section 8. (Repealed)

Section 9. In the absence of a nomination for an elected office, or a vacated elected office, the process of appointing an officer to fill the vacant office will begin with the Chairman's appointment.

The requirements as to the appointment of a candidate include:

- Notice of appointment must be served to the Commission members 30 days prior to the vote to approve the appointment;
- Appointment must be supported by a majority of the Executive Board members;

- At a regularly scheduled meeting of the Commission, the appointment will be voted on by the Commission members;
- If the majority vote of the Commission is to approve the appointment, the candidate will assume the duties of the elected office immediately;
- If the majority vote of the Commission is to deny the appointment the process will start again until the Chairman's appointment is approved by the Commission members.

## **Article VII Appointments**

Section 1. The Chairman, on the night of the election or as soon as possible thereafter, shall appoint the Chaplain, Parliamentarian and any other committee chairman deemed necessary for the good of the Commission. All such appointments shall be made from the Delegates or Alternates to the Commission.

Section 2. The Chairman shall appoint the Secretary of the Commission. The Secretary need not be a Delegate or an Alternate to the Commission but must be a resident of McHenry County and an Honorably Discharged Veteran of the United States Armed Forces.

## **Article VIII Executive Board**

Section 1. The Executive Board shall consist of the elected officers, and County Board Liaison of this Commission. The Secretary will be required to keep record of all Executive to Board meetings but will not be a voting member.

Section 2. The Executive Board shall meet for special meetings at the call of the Chairman, Superintendent, and County Board Liaison or at the request of three members of the Executive Board.

Section 3. The Executive Board shall have the power to act in cases of emergency between meetings of the Commission.

## **Article IX**

### The Board of Appeals of the Veterans Assistance Commission of McHenry County

Section 1. The Board of Appeals of the Veterans Assistance Commission consists of seven (7) voting members and the Veterans Assistance Commission.

Section 2. A minimum of three members shall come from the Executive Board with one being the VAC Chairman or Vice Chairman who will act as the BOA Chairman during the hearing. The County Board Liaison shall have a seat on the BOA if he/she is available.

Section 3. The remaining members shall be selected, from the delegates or Alternates to the Commission, by the BOA Chairman

Section 4. (Repealed)

Section 5. The duties of the Board of Appeals are to provide assistance to the Superintendent; to see

that the policy and procedures of the appeal process of the Veterans Assistance Commission of McHenry County are adhered to and to hear any appeals to the Superintendent's rulings,

### **Article X Meeting**

Section 1. Commission shall hold their regular meeting on the third Wednesday of each month.

Meetings are to be held at such places as may be designated from time to time by the Chairman, as provided further that notice is given to the Officers; Delegates and Alternates ten (10) days prior to the date of said meeting, if it is changed.

Section 2. Special meetings may be called upon like notice by the Commission Chairman, or the Commission Superintendent, or County Board Liaison and state object and purpose of such meeting. No business shall be transacted at a special meeting which is not specified in the notice. A special meeting may also be called upon petition to the Chairman signed by seven delegates to the Commission.

Section 3. Seven Commission members from different veterans organizations constitutes a quorum to transact all business at any regular, special or emergency meeting, provided three of those members are elected Executive Board members.

Section 4. Proceedings at all business meetings shall be governed by Robert's Rules of Order, except as herein otherwise provided.

Section 5. The November meeting shall be the Annual Meeting and the fiscal or Commission year shall be from the date of the Annual Meeting to the day preceding the Annual Meeting the following year.

Section 6. The Commission shall conduct all meetings in accordance to Illinois Compiled Statutes 5 ILCS 120 "Open Meetings Act" including all amendments to the Act.

- a. "The Open Meetings Act", as amended, requires that all State and Local government bodies file with the Illinois Attorney General's Office all Open Meeting Act Designees.
- b. Designees will be required to complete on-line training provided by the Illinois Attorney General's Office annually.
- c. Each elected member of the Executive Board of the McHenry County Veterans Assistance Commission shall be the registered Open Meeting Act Designees and shall comply with all requirements as directed by the Illinois Attorney General's Office.

### **Article XI Superintendent**

Section 1. The executive powers of this Commission shall be vested in the Superintendent who shall be elected by written ballot of a two-thirds vote of the Commission members who are present.

Section 2. The Superintendent shall be re-certified by the delegates to the Commission at the annual November meeting by written ballot. If the Superintendent is not to be re-

certified, he/she must receive a formal written notice 90 days prior to his/her termination.

- Section 3. The Superintendent shall select, in as far as possible, secretaries and other employees of the Commission from among Honorably Discharged veterans of the United States Armed Forces. If a position cannot be filled by a veteran, a member of the immediate family of a veteran can be selected to fill the position.
- Section 4. Neither the Superintendent nor any officer of the Commission shall be allowed to hold any political or public office during their term of service to the Commission.
- Section 5. The office shall be provided, furnished and equipped by the County, with all necessary supplies that would be needed by the Commission for carrying out its purpose. The supplies shall be in the Superintendent's charge.
- Section 6. This office shall be the charge of the Superintendent of the Veterans Assistance Commission of McHenry County, who shall investigate and report to the proper County or Governmental agencies and the Veterans Assistance Commission all claims for assistance under the law, and his/her decision shall be final unless in accordance with proper appeal procedure.
- Section 7. The Superintendent may be discharged upon presentation of a petition stipulating specific charges, bearing the signatures of one-third or more of the delegates of the Commission and verified by the affidavit of at least one delegate so signing and presented to the Commission Chairman at a regular meeting. To discharge a Superintendent a two-thirds vote by written ballot of the delegates present at the meeting shall be necessary. This discharge shall be immediate.
- Section 8. In the event of the resignation of the Superintendent, he/she must provide the Commission with a formal written notice 90 days prior to the date of his/her resignation.
- Section 9. Vacancy in the Superintendent's office due to death, retirement, or discharge, shall be temporarily filled by an acting Superintendent appointed by the Executive Board until such time as the Commission has selected a new Superintendent. During the temporary absence of the Superintendent due to illness, vacation, or business travel, the duties of the Superintendent will be administered by the McHenry County Board Liaison.
- Section 10. The Superintendent of the Veterans Assistance Commission cannot have other employment that conflicts with the performance of his/her duties as the Superintendent. The said conflict will be determined by the Commission. The Superintendent must have a telephone number on file with County Emergency Response Dispatch as he/she is subject to twenty-four hour calls.
- Section 11. Each new employee, when hired, will receive a copy of the Commission's by-laws and shall agree in writing to abide by them.

**Article XII  
Amendments**

Section 1. These by-laws may be amended at a regular meeting by a two-thirds vote of the membership attending such regular meeting provided that the proposed amendments all shall have been submitted in writing and read at the preceding regular meeting, and Provided further that a written notice shall have been given to all members of the Commission (Delegates and Alternates) at least five (5) days in advance of the date when such amendment is to be acted upon, notifying said members that such a proposal to amend the by-laws is to be voted upon.

Section 2. Any changes or amendments of the existing law, pertaining to the Veterans Assistance Commission by the Legislature or by ruling of the Attorney General of the State of Illinois, which shall effect or conflict with any provision herein shall be deemed an amendment to these by-laws.

Approved by roll call vote on this 17th day of January 2018.

State of Illinois  
County of McHenry

  
\_\_\_\_\_  
Joseph Kersten, Chairman

  
\_\_\_\_\_  
Michael Wisniewski, Secretary

This instrument was acknowledged before me this 16<sup>th</sup> Day of March 2018

  
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Attest



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Notary Seal

Amendments:

19 September 2001