



**AMERICAN LEGION NEWPORT HARBOR POST 291
EXECUTIVE BOARD MINUTES
THURSDAY, 05 SEPT 2024**

CALL TO ORDER: Appx. 1831 HRS

INVOCATION: Barry Butzoff, Chaplain

PLEDGE OF ALLEGIANCE: Commander Brian Fleming Jr.

ROLL CALL:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Brian Fleming Jr., Commander | <input checked="" type="checkbox"/> Lawrence Brown, Judge Advocate | <input checked="" type="checkbox"/> Jon Reynolds, M.a.L. |
| <input checked="" type="checkbox"/> Ernest Alonso., 1 st Vice | <input checked="" type="checkbox"/> Bob Wine, Finance Officer | <input checked="" type="checkbox"/> Walter Roberts, M.a.L. |
| <input type="checkbox"/> Ray Richard, 2 nd Vice | <input checked="" type="checkbox"/> Mike Mailman, Sgt-at-Arms | <input checked="" type="checkbox"/> Mike Berdine, M.a.L. |
| <input checked="" type="checkbox"/> David Heinle, 3 rd Vice | <input checked="" type="checkbox"/> Cory Vigil, Service Officer | <input checked="" type="checkbox"/> Mike Schubert, M.a.L. |
| <input checked="" type="checkbox"/> Evin Planto, Jr. Past Comm | <input checked="" type="checkbox"/> Barry Butzloff, Chaplain | <input type="checkbox"/> Nick Giordano, M.a.L. |
| <input checked="" type="checkbox"/> David Zamudio, Adjutant | <input checked="" type="checkbox"/> Johnny Arganda, Historian | <input checked="" type="checkbox"/> David Zamudio, M.a.L. |

Excused: Ray Ricard, Nick Giordano **Unexcused:**

INTRODUCTION OF GUESTS & GUEST COMMENTS:

Jim Eubanks, District 29 Commander

John Hernandez, Legionnaire

Affiliates and Programs Reports:

- Auxiliary Unit 291 – Mary Beth Martin



American Legion Auxiliary Unit 291

Blood Drive
Mon, Oct. 14th
10am – 4pm



American Legion Auxiliary Unit 291

Birthday Party
Sunday
Oct. 20th

- 99 YEARS -
ANNIVERSARY



American Legion Auxiliary Unit 291

KIDS PARTY
Halloween
Trick or Treat

Sun, Oct. 27th
11am – 1pm
Main Hall

Haunted House, Bingo, Games, and
Crafts, Snacks, Pizza & Drinks



American Legion Auxiliary Unit 291

AMERICAN LEGION
AUXILIARY

Renewals
- Online or 800#

New Members
- Opened September 1

2025 Membership = 342

- ❑ SAL Squadron 291 – Tim Sullivan
 - Current Membership
 - Discussed sponsorship of 9/11 VRF Foundation.
- ❑ ALYC – Vice Commodore– Mickey Bennett
 - Spoke on Membership and Upcoming Events



American Legion Yacht Club

ALYC Report Sept 2024

Membership
Active 1024

-ALYC Ambassador program –ALYC volunteers on-site Saturdays and Sundays to host reciprocal yacht club visitors – through end of Sept.

Events last month

- 7/29-8/1/2024 ALYC Youth Sailing Program – 8 students
- 7/31/2024 Dive and Snorkel Team meeting
- 8/5/2024 Sundowners Racing Series
- 8/13/2024 ALYC General Membership Meeting & ALYC Social
- 8/12/2024 Sundowners Racing Series
- 8/12-8/15/2024 ALYC Youth Sailing Program – 6 students
- 8/18/2024 Summer Sunday Harbor cruises on Valor & Liberty
- 8/19/2024 Sundowners Racing Series
- 8/22/2024 ALYC Bridge meeting
- 8/22-8/24/24 Cruise to Two Harbors
- 8/26/2024 Sundowners Racing Series & Awards Dinner
- 8/28/2024 Dive and Snorkel Team meeting




American Legion Yacht Club

Upcoming Events

- 9/14/2024 September Paddleboard Social
- 9/14/2024 Veterans Outreach Cruises – Valor & Liberty
- 9/14/2024 New Member Orientation
- 9/14/2024 ALYC Social (ALYC Dive Team)
- 9/15/2024 Summer Sunday Harbor Cruises on Valor & Liberty
- 9/21/2024 Coastal Cleanup 2024 at ALYC
- 9/25/2024 Dive and Snorkel Team meeting
- 9/26/2024 ALYC Bridge meeting
- 10/4-10/6/24 Pacific Air Show
- 10/10/2024 ALYC General Membership Meeting – Call for Nominations to the ALYC Board
- 10/12/2024 **Bonnie Lou Gibson Memorial Sail for the Blind and Visually Impaired (SVI)**
- 10/18-10/20/24 Cruise out to Long Beach Yacht Club

- ❑ Honor Guard – Vice Commander Mike Mailman



Post 291 Honor Guard / Color Guard

- 49 events completed in 2024
- 6 additional pending for the month
- 23 active members
- 1 New Recruit



2024 National Champions!!



Minutes Approval

- ❑ Executive Committee Minutes: 01 August 2024 / 01 Feb 2024 / 07 March 2024 / 04 April 2024
 - Motion presented to approve minutes, separately.
 - Each Motion Seconded, separately.
 - M/S/D/MC- Motion carries unanimously for all four motions presented.

Correspondence

- ❑ Adjutant David Zamudio – to be presented in Officer Report.

Committee Reports

- ☐ House Committee- David Zamudio
 - Review of House Committee completed items and pending items to resolve.



House Committee

- BBSI Visit on 04 Sept 2024 Meeting
- Marina Electrical Box Secured



28



House Committee

- Approved Vinyl Fence entry at Marina Dock
 - Obtained 2 bids solicited several contractors.
 - Approved, not to exceed \$3000.00



29

- ☐ Finance Committee- Bob Wine
 - Met and discussed the July 31 statements.
 - Looking at the Janitorial Expense and possible reduction.
- ☐ Donations Committee- Cory Vigil
 - Discussed committee meeting and VEAFF Donation Campaign.
- ☐ Lease Committee- Bob Wine
 - Gave up on status with City.
 - In final stage of agreement.


OFFICERS' REPORTS

COMMANDER- Brian Fleming Jr.

- Discussed the POS system (TOAST) and the credit card fees to possibly be paid by customer rather than the Post.
 - Reaching out to provider to review options.

ADJUTANT – David Zamudio

- ☐ Correspondence – Murchin & Cumming, LLP



Adjutant - Correspondence

MURCHISON & CUMMING LLP

801 South Coast Avenue
West Park
Los Angeles, CA 90017
310.427.1400 Phone
310.427.0214 Fax
www.murchisoncumming.com

August 2, 2024

VIA ELECTRONIC MAIL
MICHAEL@AITKENLAW.COM

Michael A. Penn
Partner
AITKEN AITKEN CCHN
3 MacArthur Place, Suite 800
Santa Ana, CA 92707

Re: Riker v. Applied Restoration, Inc., et al.
Our File No: 50599

Dear Mr. Penn:

Please allow this letter to confirm that Plaintiff Heleen M. Riker will dismiss with prejudice defendant Newport Harbor Post No. 291, Of the American Legion, from the subject action (Case no. 30-2024-01373931-CU-PO-CJC in the Superior Court of California, County of Orange) in exchange for a mutual waiver of all attorney fees and costs associated with the subject action.

Very truly yours,
MURCHISON & CUMMING, LLP

/s/ Lisa D. Angelo
Lisa D. Angelo
Arlene F. Prinz
Attorneys for Defendant: NEWPORT HARBOR POST NO. 291, OF THE AMERICAN LEGION

Dated: August 2, 2024

34

OFFICERS' REPORTS (cont.)

1ST VICE COMMANDER – Ernest Alonso. – Membership



1st Vice Commander

- **Current Post Membership = 4209 Legionnaires**
- **Current Membership Numbers for 2025 @ National = 2141 (49.66%)**
 - 2024-2025 Goal = 4311
 - 2170 more needed to reach our goal.
 - Good thru 2024 = 2068
 - New Members 2025 = 67 2024 = 375
 - 35 more new members this month

2ND VICE COMMANDER – Ray Richard - Speaking about upcoming events and bands.

- No Report (Excused Absence)

3RD VICE COMMANDER – David Heinle - Speaking about Boys State and Americanism.

- No Report

JR. PAST COMMANDER – Evin Planto

- No Report

FINANCE OFFICER – Bob Wine

- Presented Executive Summary of Post 291 Financials

Finance Officer - Executive Summary

	2023	2022	2021	2020	19
MEMBERSHIP					
MEMBERSHIP	4209	4178	4236	4236	4236
OFFER INCOME	580,337	617,847	72,736	15,000	623,793
OFFER INCOME	1,420	1,200	23,000	50,000	250,000
TOTAL INCOME	581,757	619,047	95,736	65,000	643,793
EXPENSES	588,528	588,501	77,910	57,200	620,800
NET INCOME	-6,771	30,546	17,826	7,800	22,993
OPERATIONS					
NET INCOME	438,852	290,128	208,434	27,240	588,800
MANAGEMENT FEES	800,000	800,000	800,000	800,000	800,000
MANAGEMENT FEES	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
TOTAL OPERATIONS	1,238,852	1,090,128	1,008,434	1,027,240	1,588,800
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Finance Officer - Cash Flow Projections

Cash Flow Projection for the Period 09/01/2024 - 11/30/24

	09/01 - 09/30	10/01 - 10/31	11/01 - 11/30	TOTAL
Cash Requiring*	\$ 4,683,010.70	\$ 1,733,474.34	\$ 1,728,989.64	\$ 8,145,474.68
Add Cash Inflows				
Membership Fees	30,000.00	20,000.00	20,000.00	70,000.00
Marina Fees	14,370.00	17,000.00	15,000.00	46,370.00
Restaurant Sales - 5%	243,000.00	248,000.00	240,000.00	731,000.00
Hotel Rentals	6,500.00	8,400.00	4,717.00	19,617.00
Banquet Food	14,470.00	13,625.00	12,885.00	41,980.00
Facility Fees	23,000.00	23,000.00	23,000.00	69,000.00
Total Cash Inflows	351,340.00	345,025.00	339,600.00	1,035,965.00
Deduct Cash Outflows				
Food & Beverage Cost @ 40%	110,980.00	112,000.00	105,154.00	328,134.00
Entertainment	9,000.00	10,000.00	10,000.00	29,000.00
Payroll**	124,000.00	124,000.00	180,000.00	428,000.00
Health Insurance	6,500.00	6,500.00	6,500.00	19,500.00
Liability Insurance	3,715.00	3,715.00	3,715.00	11,145.00
Marina Insurance	32,000.00	32,000.00	32,000.00	96,000.00
J&B Cleaning Co.	5,000.00	5,000.00	5,000.00	15,000.00
Repairs & Maintenance	810.00	810.00	810.00	2,430.00
Telephone	11,300.00	10,400.00	10,400.00	32,100.00
Utilities	10,000.00	10,000.00	10,000.00	30,000.00
Bank	1,500.00	1,500.00	1,500.00	4,500.00
Credit Card Fees	4,408.29	4,408.29	4,408.29	13,224.87
Misc	1,400.00	1,400.00	1,400.00	4,200.00
Malware	2,000.00	2,000.00	2,000.00	6,000.00
Capital Outlays	2,000.00	2,000.00	2,000.00	6,000.00
Total Cash Outflows	317,816.29	317,816.29	367,869.29	1,003,401.87
Cash Ending	\$ 1,723,814.34	\$ 1,723,814.34	\$ 1,465,510.89	\$ 4,913,139.57
Monthly Increase/Decrease	\$ 40,863.64	\$ 4,715.30	\$ 61,078.79	\$ 106,657.73

HISTORIAN – Johnny Arganda

- No Report

SERGEANT AT ARMS – Mike Mailman


- Discussion on Officer on Duty responsibilities
 - Reminder to sign in when starting assigned day.
 - Reminder to check membership cards when a person does not have door card.

CHAPLAIN – Barry Butzloff

- Discussed passing of Legionnaire and thanks officers for signing a condolence card for the spouse.

OFFICERS' REPORTS (cont.)

SERVICE OFFICER – Cory Vigil



Service Officer- Donations Committee

AL291 E-Committee Minutes
Thursday, September 5th, 2024

Donation Committee: Cory Vigil, Ray Ricard and Barry Butzloff.

Veterans Served in August 2024: VEAF

1. ARMY Vet requested auto repair for \$675.99.
2. ARMY Vet requested assistance with rent for \$948.68.
3. NAVY Vet requested bedding & hygiene for \$272.60.
4. NAVY Vet requested a battery for her vehicle at \$111.89.
5. NAVY Vet requested assistance with vehicle repair for \$234.95.
6. ARMY Vet requested assistance for 7 days at the motel for \$770.00.
7. NAVY Vet requested rental assistance for \$510.00.
8. USMC Vet requested a baby chair and other items for \$491.18.
9. ARMY Vet requested assistance with a vehicle in tow for \$370.00.
10. NAVY Vet requested assistance with 2-day hotel stay for \$220.00
11. ARMY Vet requested motel assistance for 3 days at \$330.00.
12. ARMY Vet requested additional 4 days at motel for \$440.00

\$5375.29

Lyft & Gas & Grocery Cards - \$2064.31




Service Officer- Donations Comm (cont.)

Service Officer Account-

- \$1,000.00 Iwo Jima Golf Tournament
- \$372.16 USVETS Women's Makeover Event
- \$525.00 Arthritis Foundation
- \$1000.00 VAREP Golf Tournament
- \$500.00 North Orange County Vet Center Back to School Event
- \$600.00 Shell Cards
- \$1100.00 Grocery Cards
- \$547.59 Coffee Talk

Total - \$5644.75



Service Officer June Report

Monthly Update for Service Officer	for the Sept 5, 2024 E-Board			
	2023 Actuals	2024 Budget	2024 Actual thru Aug 31	% of 2024 Budget thru Dec 31
6510 Donations				
6519 Honor Guard	7,478.36	2,500.00	1,310.99	52%
6521 Unrestricted Service Officer Expense	114,718.13	78,000.00	30,520.00	39%
6523- SO Discretionary		2,000.00	10,080.68	504%
6522 Restricted VEAF expense	129,645.07	65,000.00	77,731.60	120%
6515 Oratorical				0%
6510 Donations other	60,978.76	50,000.00	9,500.00	19%
Total 6510 expenses	312,820.32	197,500.00	129,143.27	65%
4520 VEAF current balance			33,683.22	
Aug Donations Out			3944.75	
Aug VEAF Donations Out			7439.6	

JUDGE ADVOCATE- Lawrence Brown

- Informed Executive Committee that 4 incident reports have been received the day after membership approved appointment.
- Judicial Committee is currently interviewing witnesses and should complete interviews by the end of the month.

MEMBERS AT LARGE

- Jon Reynolds- No Report
- Walter Roberts- No Report
- Mike Berdine- No Report
- Mike Schubert
 - Spoke about American Legion Member Enhancement.
 - American Legion is sponsoring the Army / Navy Game
 - American Legion is starting a group "Cruiser" for old car enthusiast.
- Nick Giordano- Excused
- David Zamudio- No Report

UNFINISHED BUSINESS

- Commander Brian Fleming
 - o Discussion of Conflict of Interest Forms, and who has signed the forms.
 - Reminded the committee to please turn these in.

UNFINISHED BUSINESS (cont.)

- Commander Fleming asks to entertain a motion to allow Jim Eubanks to present to the Executive Committee.
 - David Zamudio presents motion to allow District 29 Commander Jim Eubanks to present to the Executive Committee.
 - M/S/ No D / MC- Unanimously
- District 29 Commander Jim Banks is given the floor to present his findings / opinion to Executive Committee.
 - Reads Opinion on findings for Jr. Past Commander Evin Planto's request to review allegations raised against
 - Commander Brian Fleming Jr.
 - Finance Officer Bob Wine
 - Member at Large Mike Berdine
 - Member at Large Jon Reynolds.
 - Allegations that the formation of the Lease Committee (by then 1st Vice Commander Brian Fleming, in the absence of former Commander Planto) during the Executive Committee Meeting in 2023 were invalid.
 - The Committee was created with the attempt to accomplish and in alignment of past Commander's wishes.
 - Executive Committee held a valid vote.
 - No objections were made by Past Commander Planto.
 - Seven Months have passed and multiple meetings with the Commander (Planto) where he could have voiced objections.
 - Lease Committee was validly created and voted by Executive Committee.
 - Formal Hearing held opinion.
 - Original charges were raised at Executive Committee Meeting, and were determined to be frivolous.
 - New set of accusations were filed by Mike Schubert and Wayne Zippi.
 - Mike Schubert's statement were the same "word for word" and misstatement.
 - Wayne Zippi stated that he never intended to file charges and the was simply trying to get the accusation notarized.
 - Addresses that the former Post Adjutant (Nick Saifan) was not authorized to lead the formal hearing.
 - Addresses his concerns that any witnesses would be biased.
 - District 29 Commander Jim Eubanks gives his opinion on reasons for formal hearing.
 - Stated that former Commander Planto waited seven months and circumvented the process to seek revenge.
 - Former Commander Planto openly state that he " would break Brian [Commander Fleming] down".
 - Former Commander Planto even went as far as to try to get Brian Fleming disqualified from the National Color Guard Competition.
 - "shows that you [Planto] care less about the Post and the pride of being four time National Champions,"
 - States that his opinion does not reflect the opinions of the Department and has not heard any news from the Department.
 - This opinion is to "protect the rights of the individual members being circumvented because of inaccurate statements in this case."

NEW BUSINESS

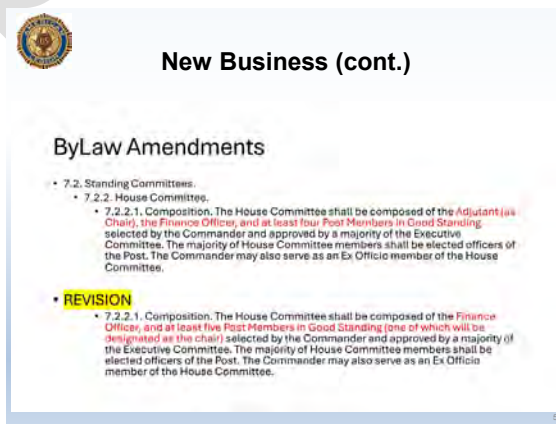
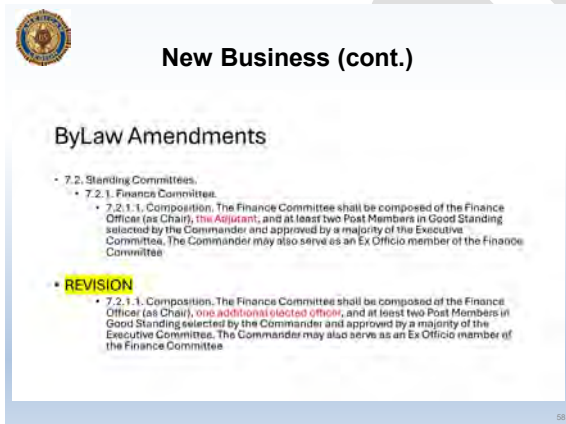
- Motion presented by 3rd Vice Commander, David Heinle:
 - " I move that a formal cease and desist letter be delivered to Jr. Past Commander Evin Planto via email and postal mail, for all actions against members Mike Berdine, Brian Fleming Jr., Jon Reynolds, and Robert Wine, pertaining to the incident reports signed by Mike Schubert and Wayne Zippi, during the month of April 2024."
 - Motion Seconded by Finance Officer, Bob Wine.
 - Discussion on the meaning of "cease and desist".
 - Discussion ended- Move to Vote:
 - Aye (7): David Heinle, David Zamudio, Bob Wine, Mike Mailman, Jon Reynolds, Walter Roberts, Mike Berdine.
 - Nay (3): Evin Planto, Johnny Arganda, Mike Schubert
 - Abstain (2): Ernest Alonso, Barry Butzloff
 - Explanation to Executive Committee that an "abstention" will count as "yes" vote.
 - Final Vote Count: 9 Ayes / 3 Nays:
 - Motion Carries by 2/3rds vote.
 - Commander Fleming informs the Committee that he will draft up the letter and present to Jr. Past Commander Evin Planto.

NEW BUSINESS (cont.)

- ❑ Motion presented by Service Officer, Cory Vigil
 - “ Make a motion to start the Veteran’s Day Memorial process starting September 10th and ending November 11th. Having Chase Wickersham lead the donations for the Veteran’s Day Memorial.”
 - Seconded by Member at Large Walter Roberts
 - Discussion on the person leading the donation drive.
 - M/S/ D/ MC- Motion Carries Unanimously
- ❑ Commander Fleming discusses “Field of Honor” presentation from prior meeting. Ask to entertain a motion for \$2250.00.
 - Motion presented by Member at Large Mike Berdine
 - “I move that we approved the \$2,250.00 donation to the CA/NV District Charity Foundation for the flags Post 291 sponsored in May for Field of Honor.”
 - Seconded by Member at Large Jon Reynolds.
 - No Discussion- Move to Vote
 - M/S/No D/ MC- Motion Carries Unanimously
- ❑ Commander Fleming Discusses Amendment to House Committee Policy



- Commander Fleming ask to entertain a motion to accept the amendment.
 - Motion presented by Jr. Past Commander Evin Planto to approve the amendment to the House Committee Operating Policy.
 - Seconded by Sergeant at Arms Mike Mailman.
 - No Discussion- Move to Vote
 - M/S/No D/ MC – Motion Carries Unanimously
- ❑ Commander Fleming discusses recommended change to Bylaws Section 7.2.1.1 (Finance Committee) and Section 7.2.2.1 (House Committee) to replace the mandate that the Adjutant be included in the composition of the Finance Committee and Chair the House Committee.



- Commander Fleming request to entertain a motion to bring these changes in front the membership to follow the revision process or amendment process for the Finance Committee.
 - Motion present by Jr. Past Commander Evin Planto to revise Section 7..2.2.1 (Finance Committee)
 - Seconded by Sergeant at Arms Mike Mailman
 - Discussion on opinion that the Adjutant should still be “in tune” with the activities of the Finance and House Committee.
 - Move to Vote: Aye- 10 / Nay- 2, Motion Carries

NEW BUSINESS (cont.)

- Commander Fleming request to entertain a motion to bring these changes in front the membership to follow the revision process or amendment process the House Committee.
 - Motion presented by Member at Large Mike Berdine to accept the revisions to 7.2.2.1 (House Committee composition modified at stated).
 - Seconded by Sergeant at Arms Mike Mailman.
 - Discussion on if the Chair should be an elected officer and reminder that the majority of the committee should be elected officer.
 - Discussion of not having overlay of the same people on the different committees.
 - Move to Vote: Aye- 11/ Nay – 0 / Abstention (Evin Planto).
 - Motion Carries Unanimously

EXECUTIVE COMMITTEE GIVEN 10 MINUTE BREAK (2032 hrs.) BREAK ENDS (2041 hrs.)

- Member at Large Mike Berdine gives presentation on evaluation of purchasing new Tough Shed.
 - Motion presented by Member at Large Jon Reynolds to approve the purchase of the recommended Tough Shed not to exceed \$4000.00.
 - Judge Advocate Lawrence Brown explains to that when a motion is brought from a committee that a new motion is not needed and just a Second is not needed, only Discussion and Vote.
 - Member at Large Mike Berdine reads motion that was approved at the House Committee not to exceed \$4000.00.
 - Seconded by Member at Large Jon Reynolds.
 - No Discussion
 - Move to Vote
 - M (from House Committee) /S/No D/ MC- Motion Carries Unanimously
- Presentation by Member at Large Mike Berdine for new Parking Lot Gate Arm.
 - Mike Berdine reads the motion that passed at the House Committee not to exceed \$8000.00.
 - No Discussion
 - Move to Vote
 - M (from House Committee)/S/D/ MC- MC- Motion Carries Unanimously.
- Motion presented by Service Officer Cory Vigil for creating of Veterans Coffee Talk Committee
 - “ I would like to make a motion to create a Coffee Talk Committee. That committee would consist of Cory Vigil, Ernest Alonso, Philip Adriano, Nick Giordano.”
 - Seconded by Jr. Past Commander Evin Planto.
 - Discussion on Post access times.
 - Discussion on adding one more person so there are five people. To be determined at a later date.
 - Move to Vote
 - M/S/D/MC- Motion Carries Unanimously
- Commander Fleming discussed Motion passed by the House Committee for Termite tenting of storage sheds in the parking lot for not more than \$3000.00.
 - Discussion on how many sheds.
 - Move to Vote
 - M/S/D/MC- Motion Carries Unanimously.
- Finance Officer Bob Wine presents and discusses the Motion that passed in the House Committee for the renovation of the Marina Bathroom and Storage building not to exceed \$220,000.00.
 - Discussion on the bids requested totaling 5.
 - Received only 2 bids.
 - Motion to amended the dollar amount to not exceed \$250,000.00, by Finance Officer Bob Wine.
 - Seconded by Sergeant at Arms Mike Mailman
 - Discussion on what fees will be included in total cost.
 - Move to Vote
 - M/S/D/MC- Motion Carries Unanimously
- Motion of “Vote of No Confidence” for Jr. Past Commander Evin Planto by Sergeant at Arms Mike Mailman.
 - “Move for a Vote of No Confidence for Jr. Past Commander Evin Planto. “
 - Motion Seconded by Finance Officer Bob Wine.
 - Discussion raised as a question. Commander Fleming asks for any other discussion.
 - Discussion ended- Move to Vote:
 - Aye (7): David Heinle, David Zamudio, Bob Wine, Mike Mailman, Jon Reynolds, Walter Roberts, Mike Berdine.

NEW BUSINESS (cont.)

- Nay (3): Evin Planto, Johnny Arganda, Mike Schubert
- Abstain (2): Ernest Alonso, Barry Butzloff
 - Explanation to committee that an “abstention” will count as “Aye” vote.
- Final Vote Count: 9 Ayes / 3 Nays:
 - Motion Carries by 2/3rds vote.

GOOD OF THE LEGION

- ☐ First Vice Commander Ernest Alonso
 - Reminded Committee of upcoming Coffee Talk.
- ☐ Member at Large Mike Schubert
 - Reminded Committee of American Legion University.
- ☐ Member at Large Jon Reynolds
 - Spoke about the membership application sleeve were empty in the hall during his OD shift. Made more copies but asked for us to keep an eye on it.
- ☐ Jr. Past Commander Evin Planto
 - Discussed membership initiative at the National Convention and the need to identify new Iraqi War veterans.

VOTE OF NO CONFIDENCE

- ☐ Commander Brian Fleming reiterates the “Vote of No Confidence” process and reads to the Executive Committee from Bylaws 5.8 Officer Vacancies, 5.8.1.2(3) No Confidence.
 - “ To avoid the complications and potential embarrassment of an officer recall, a Vote of No Confidence may be used to elicit a voluntary resignation. If the Executive Committee determines that an officer is either not performing required duties or is disrupting the Executive Committee business, then the Committee may obtain a Vote of No Confidence. If a majority of the Executive Committee votes “No Confidence”, that a voluntary resignation by the Post Officer is requested. If a voluntary resignation by the Post Officer is submitted, the recall is avoided. If the voluntary resignation is not submitted, then a recall procedure may be initiated. In the event the Executive Committee votes of “No Confidence” does not pass, then the officer remains in office.”
 - Commander Fleming states:
 - “Jr. Past Commander Planto, you have a Vote of No Confidence, would you like to resign or let it ride.”
 - Jr. Past Commander Evin Planto declines the opportunity to resign.
 - Vote Of No Confidence process moves to Recall under Bylaws Section 5.8.2.

CLOSING PRAYER- Chaplain Barry Butzloff

ADJOURNED: Approximately 2133 hours.

EXECUTIVE COMMITTEE EMAIL VOTE For New Heater Purchases not to exceed \$3400.00- 25 September 2024

Good afternoon all,

This is the final vote count for the Adjutant to add to the October E-Comm Meeting Minutes.

12 - Yays

0 - Nays

2 - No Votes

Motion passes.

1st Vice Cmdr Alonso	--YAY
2nd Vice Cmdr Ricard	--YAY
3rd Vice Cmdr Heinle	--YAY
Jr. Past Cmdr Planto	--Comments provided against the process - No Vote
Finance Officer Wine	--YAY
Historian Arganda	--No Response
Chaplain Butzloff	--YAY
Sgt-at-Arms Mailman	--YAY
M.a.L. Berdine	--YAY
M.a.L. Giordano	--YAY
M.a.L. Reynolds	--YAY
M.a.L. Roberts	--YAY
M.a.L. Schubert	--YAY
M.a.L. Zamudio	--YAY

Non Voting

Commander Fleming Jr	- Supportive of the motion
Service Officer Vigil	- Supportive of the motion
Judge Advocate Brown	- Supportive of the motion

Regards,

Brian Fleming Jr
 Veteran / USMC
 Post Commander
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