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Pleasanton VFW Post 12162
General Meeting Transcript
January 14, 2019
(Department of Texas Administration committee presiding)

John Shipley: To be recognized to speak you will need to stand if you are able. I will call on you to speak. At that time you will state you name and then make your statement. I will not allow any disrespecting of any member and there will be no foul language. This meeting will be run in an orderly fashion with no disruptions. If any member gets out of order he will be removed. If you keep. If you persist in out of order I will call the local law authorities and you will be removed from the premises. As the Post does not have an adjutant, we will be recording the meeting for the purposes of generating the minutes of this meeting that will become part of the official record of this post as all post meeting are part of the official record. We have already taken a roll. So officer will take their respective stations and the guard will close the door. By the power and authority vested in me, by special order 14 by Department of Texas VFW. I'm about to open Pleasanton VFW Post 12162 for the transaction of any business. (2 Taps of the gavel) Attention! Salute to the colors. Present arms! Order Arms! Uncover. Parade Rest.

Larry Sanders: Let us bow our Heads. Oh, Sovereign Ruler of the Universe, Who art the lord of Host and God of Peace. Without thee our efforts are in vain. Continue they blessing upon us, we pray thee, and guide us during our deliberations. We beseech thee, Oh God, to bless the dependents of our departed Comrades, and to come all who gave their loved ones to Nations' cause. Bless we ask thee, the Widows and Children in our National Home and Help us to fulfill our duty toward them. Continue they favor upon our Order, and help us to practice the spirit of true Comradeship, both in our counsels and with the World at Large. Enable us to better the community in which we live through our devotion to duty as citizens. We will now have a moment of silent prayer for our departed comrades. These and all other necessary Blessings we ask of thee, Mighty Ruler of the Universe. Amen.

Membership: amen

John Shipley: Recover. Attention! Comrades. Join me in pledge of allegiance of the flag of the United States of America. Present Arms!

Membership: I pledge allegiance to the Flag of the United States of America, to the Republic for which it stands, one nation, under god, indivisible, with liberty and justice for all.

John Shipley: Order Arms! Go ahead and be seated. (1 tap of the gavel) Comrades if you don't mind, Please turn off your phones if you have them put them on vibrate. Please remove all ball caps, the only caps allowed in the meeting is VFW cap. Thank you. Comrades, we are assembled again to transact business of mutual benefit. Do not let petty jealousies of trivial personalities influence our deliberations. Let us uphold always the obligations of unselfish comradeship and loyalty to our organization and the government of the United States of America. I now declare Pleasanton Post 12162, duly open for the transactions of business. I would like to remind you of article one of the constitution of the Veteran of foreign Wars objectives. The objectives of the Veterans of foreign wars are fraternal. Patriotic, historical and educational; to preserve and strengthen comradeship among its members; to assist worthy comrades; to perpetuate the memory and history of our dead and to assist their widows and orphans; to maintain true allegiance to the government of the United states of America, and fidelity to its constitution and law. To foster true patriotism and to extend the institutions of American freedom; and to preserve and defend the United states from all our enemies whomsoever. Ok. Under the order of

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John Shipley: uh. November 15th meeting?

Steve Mueller: November 15th letter from department sir.

John Shipley: November 15th?

Steve Mueller: Perhaps you can ask Dan West to elaborate, it did come from his office.

Dan West: Commander Shipley

John Shipley: when (Interrupted by Dan West)

Dan West: I can answer that question

John Shipley: go ahead.

Dan West: I believe what Steve is referring to is that we received a complaint from some VFW members in the city of Jourdanton that members of this post were soliciting donations for this post in the city of Jourdanton. Section 214 of the National By-Laws specifically states that in fund raising the post is limited to their immediate area. Their geographic area and then the state commander interpreted that to mean. You could only fundraise in the city limits of the city of Pleasanton and that was upheld by the National organization. Ok? So that's what we are talking about there. The letter was sent to Steve saying you are not allowed to solicit funds outside of the city of Pleasanton and restricted fundraising to the city limits of the town of Pleasanton because the post is located here. Now, it did not prohibit the post from going and getting permission, as other post do, in other jurisdictions where other VFWs are at. Ok. That help answer your question Steve?

Steve Mueller: Yes it did. Thank you. I would also ask for a clarification of the commander interpretation of section 214. Can you please clarify on that?

Dan West: You would have to appeal that to the National commander as is your right under Section 109 of the National By-Laws. For I will not speak on what the intent of the commander was. That. She's the one that made that decision.

Steve Mueller: thank you comrade commander. No further questions.

John Shipley: Section 214 says the post shall not solicit funds or donations or otherwise engage in fundraising activity or projects outside of the immediate geographic area of the post. The post may solicit funds or donations utilizing web-based communities provided that the activity is not repetitive or ongoing and otherwise in keeping with applicable state and local charitable solicitation law. So that what it says. Any other questions?

Henry Fojtik: Sir so is it my understanding that we can't sell, say raffle tickets in Jourdanton?

John Shipley: You cannot sell raffle tickets in Jourdanton unless you coordinate with the Jourdanton Post. And ask them. It's very simple. I had a meeting with both commanders, both quartermasters, both Pleasanton and Jourdanton Posts and told them that they need to stop acting like a bunch of children and be courteous to each other. If Pleasanton wanted to go sell tickets in Jourdanton, coordinate with

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the other. Just call them and ask them. I sell raffle tickets for other posts. I help them fundraise. Why? Either the one they ask me or I say hey do you need help? We all supposed to help each other. But no that's not what happens. I get a call after we all had this meeting. One of your members is selling raffle tickets in Jourdanton. So I contact them. I said; did commander Mueller talk to Commander Rankin about selling tickets. Well I don't know? Later I get a text – well he doesn't know I just did because I didn't think it would hurt anybody. And that was from one individual that sat in that same meeting. Ok? So because of people's childish actions it caused the Post to get in trouble.

Henry Fojtik: So if I am in Jourdanton with a raffle ticket and I ask somebody from Jourdanton if they want to buy a raffle ticket that's is.. (Interrupted by John Shipley)

John Shipley: If you are over there with a sign, and a rifle and a bunch of tickets to selling tickets, yes you are in violation. Any other questions? We will continue. Roll call of officer. Commander?

Lance Yaws: Present.

John Shipley: Senior Vice Commander?

Jim Whary: I guess that's me, Present!

John Shipley: There is no junior vice. There is no Quartermaster. No Adjutant. Chaplain?

Stephanie Pino: He's absent.

John Shipley: Surgeon?

Stephanie Pino: absent.

John Shipley: First year trustee?

Steve Mueller: He's excused, he is down in Corpus.

John Shipley: Second year trustee?

Mike Sharp: Right here.

John Shipley: Third year trustee?

Sharon Sharp: here.

John Shipley: Judge Advocate?

Stephanie Pino: Excused.

John Shipley: Alright. Reading of the minutes. You post your minutes online?

Steve Mueller: Yes.

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John Shipley: Have you all seen the minutes from December?

Steve Mueller: I..

John Shipley: Did yall read them?

Steve Mueller: I only post official minutes and official bank statements online. I don't post minutes that haven't been official.

John Shipley: ok. So I will read these .. (mumbled)

Steve Mueller: oh comrade commander. There was one special called emergency meeting with the officers on December third. There up there sir.

John Shipley: ok. Meeting called to order at 1900 hours by Commander Steve Mueller. Open ceremonies were performed. Introduction of Guest Michael Perry Buck, VFW Post 4853 Candidate and Wreaths Across America Representative. Roll call of officers. Members present Steve Mueller, Lance Yaws, Jim Whary, Stephanie Pino, AJ DiCaro, Joseph Ponce, Doyle Henderson, Thomas Plaster, John Garza, Manuel Canalas, Regina Renya. Candidates for membership. Reading; Referring; Applications; Report of Membership Committee: John Delgado, Shawn Stoute and Janice Camarillo are recommended for membership. Comrade Yaws made a motion to accept the above members as new members. 2nd by Comrade Pino. Motion passed. John Delgado was sworn in as a member by Commander Mueller. Minutes from the 12 NOV 2018 were read to members present. Meeting Mins were approved as read. Quartermaster Report. Starting Balance $240.67 Income $230.00. Expenditures $404.32. Ending balance $66.35. Ok. Second account. Programs account 0,0,0,0. Savings Account 0,0,0,0. What's left is $66.35. Youth Committee. None. Membership Committee. No Report. Fundraising committee. No report. Special Projects committee. None report. Service Officer Report. None. Comrade or family in distress. None. Unfinished business. None. New Business. Comrade Pino discussed the financial issues between the JROTC, Woman's Club, Booster Club and Pleasanton High School. As any donation made on the behalf of the Pleasanton Eagle Battalion JROTC has to be deposited into the Pleasanton High School account and thus can be used for any purpose of their choosing. JROTC cadres are constantly underfunded and unable to access the monetary donations made on their behalf by these groups. Karen Hudson is a cadre of JROTC and a post member in good standing with this post. Motion was made by Comrade Whary to create a JROTC account and assign Karen Hudson a card to the new JROTC account. 2nd by Comrade Pino. Motion carries. Commander Mueller discussed the allegation of violating Section 214 of the National By-Laws. No evidence has ever been produced to substantiate any wrong doing. The term "immediate geographical area" is not defined anywhere in the National By-Laws and is arbitrary at best. The term "Community of the Post" is also not defined, very subjective and could mean anything. The entire section only deals with the "Solicitation of Funds" and NOT fundraising activity. Commander Mueller stated that this is an old argument, he first discussed in 2014 while he commanded Post 4853, where he argued that Atascosa County VFW Post 4853 should have full reign over all of Atascosa County due to their legal incorporated name and that 6970 and 12041 should not have been formed within Atascosa County since 4853 had the total of "Atascosa County" in their legal name. Commander Mueller stated there is no section in Pleasanton VFW Post 12162 incorporation articles, nor any other legal document in his possession, that defines Posts 12162 "immediate geographical area" or "Community of the Post" nor has this been discussed or communicated to him before or after the posts formation until receiving the Cease and desist order from Department on the 15th. VFW National admits the terms are not defined in the National By-Laws. VFW National confirmed

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that a "Go Fund Me" and/or "Crowd fund me" accounts can be created at the post level... Commander Mueller concludes that these issues could have been resolved prior to the formation of Pleasanton Post 12162, by a mutual agreement between 4853, 6970, 12041 and 12162 and simply identifying boundaries to be known as Areas of responsibility for each post. Motion was made by Commander Mueller to secure Legal Counsel to represent Pleasanton VFW Post 12162 in all current and future post franchise disputes, By-Law issues and legal matters. 2nd by AJ DiCaro. Motion Passed unanimously. Thomas Plaster requested an Officer Promotion ceremony to honor his daughter Janice Camarillo (JHS Graduate) and prospective Post candidate to be carried out at the Jourdanton City Hall Chambers with a meet and greet to follow at another location. Motion was made by comrade Plaster to perform the ceremony at Jourdanton. 2nd by John Garza. Motion Passed unanimously. Michael Perry Buck, Wreaths Across America representative, discussed a joint community service project with VFW Post 4853 & VFW Post 6970 to put wreaths out at the Jourdanton and Pleasanton cemeteries. Mr. Perry solicited a donation of $200 from the post. Membership decided not to support Wreaths Across America financially. Motion was made by comrade Pino to support it with manpower. 2nd by Regina Reyna. Motion Passed unanimously. Steve Mueller, Stephanie Pino, John Garza and Manuel Canalas volunteered to represent the Post at both cemeteries. 1030 hours at Jourdanton Cemetery & 1100 hours at Pleasanton cemetery. Good of the order. Commander Mueller discussed; that prior to the installation of Pleasanton VFW Post 12162's installation on September 2017, an email was sent out to 4853, 6970 & 12041 requesting a meeting to discuss and define Posts Areas of Reasonability. There was no response from any of the posts regarding the request. In October, Once Again a request was made to John Shipley (Post 6970/ District 20 Commander) for a meeting to negotiate the adoption of AOR's in Atascosa County, since our Posts are operating in such close proximity. The meeting was scheduled for the 26th of October at Post 6970. Representatives from Post 4853, 6970 and 12162 attended the meeting. John Shipley did not invite 12041. There was no negotiation, nor was any decisions made and/or any mutual agreement to form AOR's. The Cease and desist letter from Department, dated 15 November, has the appearance of being political in nature, as Section 214 of the By-Laws deals with "Solicitation of Funds" and does not mention Community Service activities such as Purple Heart Ceremonies and District Food Drives. Both have drawn scorn from the John Shipley/ District Commander. The letter being sent to all officers is also unusual, possibly politically motivated and designed to cause dissention within the Post membership. Commander Mueller discussed US Veteran Housing Program™, and the future formation of the ComVet Aviation™ and the Atascosa County Veteran Food Bank™ and how they can benefit the Post and members and other county VSO entities. Post members requested a more aggressive stance in dealing with legal issues in the future. Commander Mueller said, in closing that we are a very successful VFW Post, Fastest growing in the world with some of the youngest and most progressive members to ever join a VFW. The business model of this post has never been tested, but the strategies have been overwhelmingly successful. Franchise disputes are a common part of business and not to let unsubstantiated, unfounded allegations get you down. There is due process. This team is still #1 in the world. We are one Team and the dispute will be resolved in time. Closing Ceremonies were performed. Meeting adjourned 2019 hours. Next meeting will be on 14 JAN 2019 at 1900 hours at the Pleasanton Civic Center in Pleasanton, Texas. These are official approved minutes of Pleasanton VFW Post 12162. Are there any additions or corrections to the minutes? If not then they will stand correct as read. Quartermaster report. We had it in there so we better read that (mumbled).

Robert Martinez Jr.: This is an audit. This last audit. You have your general fund $66.35 that has been signed off by the trustees and the commander.

John Shipley: Is your service officer here?

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Stephanie Pino: No.

John Shipley: No service officer report?

Stephanie Pino: Nothing.

John Shipley: Is there a comrade or family comrade in distress. Do you have any committees?

Stephanie Pino: We did have one. We did have a comrade in distress.

John Shipley: oh you have a comrade in distress?

Steve Mueller: I think it's been handle commander.

John Shipley: Any committee's? You have active committee's? (Two taps of the gavel.) All rise. Let's remember our national home. Uncover. Parade rest.

Larry Sanders: (National Home Prayer)

Members: Amen.

John Shipley: Recover. Be seated. (1 tap of the gavel) Unfinished business. Is there any unfinished business?

Steve Mueller: No.

John Shipley: So now we are going to New Business. Under new business. I will entertain a motion from the floor to take a vote from the members on whether they want to keep the post open?

Steve Mueller: Comrade Commander.

John shipley: Yes comrade.

Steve Mueller: I move that we keep the post open.

John shipley: we have a motion..

Fernando Belmares: I second that motion!

John shipley: I have a second. Any discussion. (mumbling) Any discussion? Look ok. State your name make the motion and again.

Steve Mueller: ok. ok. um. I Steve Mueller make a motion to keep the post open. Seconded by Mr. Fernando.

John shipley: Name?

Fernando Belmares: Fernando Belmares

John Shipley: Thank you friend. Any discussion? No discussion we will have a vote. All in favor raise your hand. All opposed? Motion carries. Now. Now that we have got that out of the way the post must stay open we can have election of officers. Now we did hear earlier. If one member would like to take and elect officers at the next meeting so they can have time to. to get to know everybody since this is their first meeting. So. Umm. The floor is open for any motion as long as it pertains to these options

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Steve Mueller: Comrade Commander. Steve Mueller. I move that we table the election process for a term of 30 days to canvass the membership for voting.

John shipley: uh. I want uh. to delay that for a minute. Commander Yaws?

Lance Yaws: Yes sir.

John shipley: Do you accept the position of commander?

Lance Yaws: Yes sir.

John shipley: Commander Whary, Do you accept the position of senior vice?

Jim Whary: Yes Sir.

John Shipley: thank you very much. Now. So you have a motion that you table the elections to next meeting.

Steve Mueller: Ah. Yes sir. Table the motion for the election to replace the officers that were removed for a period of thirty days.

John Shipley: Is that acceptable comrade West?

Dan West: Yep. There is not really a motion on the floor so it's kind of hard to table anything (Interrupted by John shipley)

John Shipley: Ya. we don't have anything to table we make a motion.

Steve Mueller: ok well I make a motion to use thirty days to canvas the members to replace the members that were replaced.

John Shipley: I have a motion ono the floor made by comrade Mueller that we delay the election until the next meeting which is thirty days from now.

Lance Yaws: I second that motion.

John Shipley: Comrade Yaws has seconded that. Is there any discussion? All those in favor?

Members: I

John Shipley: All those opposed?

Members: (no response)

John Shipley: Motion Carries. If and that's true if at the next meeting you don't elect officers you will lose your charter. You will need to elect officers at the next meeting. Specifically the quartermaster. Now. Commander Yaws

Lance Yaws: Yes sir

John Shipley: In the case you have a quartermaster that has resigned or removed. You can appoint a quartermaster for 30 days. A temporary one for thirty days.

Dan West: sixty days!

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John Shipley: I'm sorry, sixty days.

Lance Yaws: Is that necessary, seeing that the post is suspended?

John Shipley: You have to have a quartermaster. The post must have a quartermaster. So you need to appoint a quartermaster since we are going to delay the elections.

Lance Yaws: Can I appoint myself for that position until we find someone suitable.

John Shipley: No. You cannot hold two elected offices. Two. You cannot hold two elected offices quartermaster is an elected office.

Dan West: Lance hold on. (Dan West consulting with the Administration committee)

John Shipley: Ok. Commander Yaws. You can um. You don't have to appoint one the state has said they will let you go without one until the election. Until you elect one. The only thing is within the next 24 hours we need all of the financial documents of this organization. This post.

Steve Mueller: We have no objection releasing that information, it's all contained online you can access it anytime that you wish.

John Shipley: We need. We need hard copies.

Dan West: they are also going to need the checkbook to this post.

Steve Mueller: there is no checkbook. (Steve Mueller supplies the administration committee with the inspection book containing the information requested and answered their questions)

John Shipley: So you can free the election for your officers at the next meeting.

Lance Yaws: Thank you.

John Shipley: and you don't have to appoint a quartermaster.

Dan West: Stephanie do you have the debit card for the post account. Steve just said you did. You need to surrender it.

Stephanie Pino: I don't have it with me.

Dan West: I'm sorry?

Stephanie Pino: I don't have it with me.

Dan West: I needed to turn that over to John shipley within 24 hours or I am duty bound to call the police department.

Stephanie Pino: ok.

Dan West: ok.

Stephanie Pino: Duty bound. Gotcha.

Dan West: Don't test me Stephanie.

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Stephanie Pino: Dan don't threaten me. (Dan West places his hand on the back of Stephanie Pinos chair and leans into here whispering threats in her ear) Dan Stop it now!

John Shipley: and that will be our new business to elect new officers, there is no more new business.

Dan West: you. You might want to see if you want to do nominations.

John Shipley: Oh that's true. Um. Since we are not going to elect I want to ask if there is any nominations for junior vice. We will be electing a junior vice and an adjutant. Quartermaster. The adjutant you will appoint. Because that is an appointed position. You as commander will appoint him. Now. Because you both agreed to fill the position you moved up to the only thing you need to do is elect a junior vice and a quartermaster. And right now open for nominations for junior vice. You can nominate someone now but you can nominate someone else next time. Or you may not nominate anybody I have no idea. Is there any nominations for junior vice? Any nominations for junior vice? Any nominations for junior vice? Since I have asked for nomination three times. There is no nominations. I will close nominations till the next till the next meeting. I now open nominations for quartermaster. Are there any nominations for quartermaster? Are there any nominations for quartermaster? Are there any nominations for quartermaster? I have asked for nominations three times there being none I will close nominations for quartermaster and you will nominate and elect at your next meeting. Now. Since there will be no further business we will move into the good of the order. I have asked comrade Dan West if he has any comments under the good of the order.

Dan West: comrades before we break up I just want to make sure everyone here has an understanding of why we are all here. Yes? No? If you are not clear this is the time to ask. What is this all about? Alright. This is your post. You are an equal owner in everything this post owns. But because you have said you want to be a veterans of foreign wars post there are rules that you have to follow. Those rules are spelled out in the national by-laws. It's my job to help any person who asks, whether it be the state commander, district commander or the individual member with those by-laws so that you can completely understand it and how they work and how they apply to what you are trying to do. So if you don't have. If you not really sure what's happening here. Please speak up. This is where you have your voice. You are essentially the owners of this post. And the corporation had to shut it down because you weren't following the rules. Now not you specifically, but the leadership you elected wasn't following the rules. Alright. And I've known Steve for a while and I have known Stephanie for a while they are not bad people. They just have different opinions on how things outa be run that's it. But in this organization our by-laws are the supreme authority. And that's why we got here. There is a difference of opinion. Steve said I don't believe that. State commander give his ruling. Steve still has the ability to appeal the state commander's decision to the national commander in chief and if he doesn't like the commander in chief's answer can appeal to the national council of administration. He's got his appeal process and so does Stephanie. They both have appeal process they can follow. So last chance. Anybody here need any questions answered? Not sure about something?

Henry Fojtik: Ya. I'm not too sure about that Vietnam veteran comment that was made earlier.

Dan West: ok. Wasn't made by me.

Henry Fojtik: Well whoever made it? Somebody made it.

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Dan West: I was repeating some allegations that we received from some members directed at Steve. Comments that he had made.

Henry Fojtik: What was the deal?

Dan West: I'm not going to go into that cuz, currently because that is still being. I want to say. Investigated because disciplinary action has not been brought against Steve just yet. But there is evidence of that. Of those statements being made repeatedly and on numerous occasions.

Henry Fojtik: Well I'm a Vietnam veteran and I have never heard of anything being said. Never!

Dan West: Then I'm going to ask you to get with Steve because I'm sure Steve is going to ask for a defense.

Henry Fojtik: Well I'm going to ask him.

Dan West: and he will probably call you as a witness to these events with you with him at the post.

Fernando Belmares: Me to, I want to ask him.

Dan West: Ya.

Steve Mueller: I will go on the record right now. I made no such statement. I made no such statement.

Dan West: So. When that time comes please work with Steve and help him out. Alright. Because we still believe in your innocent until proven guilty. And we still need to go through that process. (Laughter can be heard amongst the membership)

Stephanie Pino: Oh.. No not really Dan..

Dan West: ok. Ya! You got removed! Again if you don't follow the rules of the General. Your in the Army. Your in the Marines. Your in the Navy. Your in the Air force. Your in whatever service branch your in and the General says; you need to do this and you say no I'm not doing it. And it's lawful for the General to give you that order. How long do you think you are going to stay in command? You're Not! (Dan recognizes Regina Reyna) Yes Maam.

Regina Renya: I get that we are all veterans but we are not in the military.. (interrupted by Dan West)

Dan West: (Speaking over Regina Reyes) No but you are in the Veterans of Foreign Wars and you took an oath and our By-Laws dictate how we operate every single post. You don't just get to do what you want to do.

Regina Renya: no sir we don't, but this is not, we are not still in the military mind set. We just want to be there for each other. Help each other. We don't stab each other in the back. we are there to help each other and you get so caught up in that it's not a direct ordering you. We are not robots! You know. That's what I'm saying. You know (again interrupted by Dan West)

Dan West: I understand that. I understand that! (Dan West recognizes another member while Regina Reyna was still making her statement) Yes sir.

John Garza: What about Jourdanton? Jourdanton comes into Pleasanton or Poteet.

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Dan West: I'm sorry now. Jourdanton is coming into Pleasanton and doing what?

John Garza: the same thing we being accused of.

Dan West: Are they soliciting funds?

John Garza: Yes sir.

Dan West: Have you complained about it?

John Garza: No sir.

Dan West: If you complain about it I will guarantee you they will get the same letter your post got.

Regina Renya: I know Shipley has heard of it!

John Shipley: Heard what?

Regina Reyna: That they have been over here to Pleasanton.

John shipley: What have they been doing?

Regina Reyna: They have collected things over here

John Shipley: Doing what?!

Regina Reyna: Finds and gathering things

John shipley: Well you know you need to let me know

Stephanie Pino: We do!

Regina Reyna: well we can just. There not on trial here we are it. obvious. (John shipley speaking over Regina Reyna response)

John Shipley: No but. If you. If you tell me they are doing something over here what are the specifics?

Regina Reyna: It doesn't matter they are not on trial we are.

John Shipley: You're not on trial.

Steve Mueller: Comrade Commander

Johnny Rogers: When the animosity kicks in.

John Shipley: The animosity between your commander and that post is unreal. Ok. It has not stopped since the day he left there.

Regina Reyna: It's not just the animosity from that post and our commander. Its animosity with everyone else against our commander. (Interrupted by John shipley)

John Shipley: no I'm saying your commander with that post

Regina Reyna: What I'm saying is it's not just them it's everybody. (John shipley speaking over Regina)

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John Shipley: He does harbor a lot of animosity towards them. I see it in everything he has written. I even ask. Told him about it and he just laughs at it.

Steve Mueller: Comrade Commander Will you entertain a motion?

John shipley: Yes.

Steve Mueller: I move that we adjourn.

Stephanie Pino: ya.

Jim Whary: I second that!

John Shipley: If there be no further business we will have our closing ceremonies. (Two taps of gavel)

Stephanie Pino: thank you.

John Shipley: attention to colors. Present arms. Order arms. Uncover. Parade rest.

Larry Sanders: (closing Prayer)

Members: amen

John Shipley: I now declare this post. Business session of VFW post 12162 closed. The next meeting will be on eleven February. Here at seven o'clock.

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business I will read each order. Special order issued by the Department of Texas VFW Commander. I will start with special order number 12. Special order number 12 to Stephanie D. Pino, adjutant/ Quartermaster. VFW Post 12162. PO Box 581 Jourdanton, Texas 78026. Comrade Pino. In accordance with Section 220 of the National By-Laws and the Manual of procedure of the Veterans of foreign Wars of the United States, you are hereby relieved as Post Adjutant and Post quartermaster of Pleasanton Post No. 12162 for failure to perform the duties of your position as outlined in section 218 (a)(6)(g) and (a)(5)(h) of the manual of procedure, specifically: You failed to submit copies of the approved post for each month that VFW Post 12162 has been in existence as requested by the state Commander in a letter mailed to you on December 3, 2018 by certified/return receipt mail to your last known address. This letter was signed for on December 14, 2018 starting the seven days' timeline in which you had to send copies of the Post approved minutes. To date we have not received any documents from you even though we have given you extra time to do so. As outlined in Section 109 of the National By-Laws, you have the right to appeal this decision to the Commander-in-Chief. All appeals will be in writing, meet the criteria as described in Section 109 of the Manual of procedures and shall be mailed by registered or certified mail, return receipt requested within (30) days from the date of this letter. By order of Ingeborg A. Conley, Commander, Department of Texas, Veterans of Foreign Wars of the United States. Attested by Dan West, State Adjutant/ Quartermaster Pro Tempore. Special Order number 13. To Steven J Mueller. Commander. VFW Post 12162 PO Box 581 Jourdanton, Texas 78026. Comrade Mueller. In accordance with Section 220 of the Manuel of By-Laws and manual of rituals of Foreign wars of the United States. You are hereby relieved as Post Commander of Pleasanton Post 12162 for failure to perform your duties in your position as outlined section 218 in the manual of procedures. Specifically. The violation of section 218 (a)(1) Item (L) and that you failed to corporate with an investigative committee that was appointed by the state commander as outlined in section 109 of the National By-Laws you have the right to appeal this decision to the commander-in-chief. All appeals will be in writing, meet the criteria as described in Section 109 of the Manual of procedures and shall be mailed by registered or certified mail, return receipt requested within (30) days from the date of this letter. By order of Ingeborg A. Conley, Commander, Department of Texas, Veterans of Foreign Wars of the United States. Attested by Dan West, State Adjutant/ Quartermaster. Special Order number 14. To Lance C. Yaws, Post Commander. VFW Post 12162. 3320 County Road 303 Jourdanton, Texas 78026. Dear Commander. In Accordance with Section 211 of the National By-Laws and the Manual of procedure, the operations of VFW Post 12162. District 20. Pleasanton Texas are hereby suspended for a period of up to ninety days due to violations of the laws and usage of the organization, specifically Section 218 (a) of the National By-Laws and Manual of procedure. One. Willful disregard and failure of Post commander Steve Mueller to comply with lawful orders from the State Commander and an investigative committee appointed by the state Commander. 2. Willful disregard and failure of Post Adjutant/ Quartermaster Stephanie Pino to comply with the lawful orders from the State Commander and an investigative committee appointed by the State Commander. 3. Disobedience or disregard of the provisions of the congressional charter, By-Laws, Manual of procedure, ritual, general Orders, Special Orders, of the Veterans of Foreign Wars of the United States. Effective immediately, the following Administrative Committee and Chair are appointed. John Shipley, District 20 commander Chair. Robert Martinez Jr, Deputy State Inspector, Larry Sanders, Post 12041 Commander. The above administrative committee shall supervise all of the activities of the Post and ensure full compliance with all applicable By-Laws, rules and regulations of the organization. During the suspension period, the Chairperson shall submit monthly reports to the Sate Commander setting forth, in detail. The actions instituted and the steps taken toward the resolution of the above listed violations and other violations that may have been identified. In addition, the final report shall contain the committees recommendation as to whether the suspension shall be rescinded or continued, or if the Post charter be revoked. While under suspension, no meetings shall be held in the name of the Post, except for the sole purpose of the discussion of the

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causes, effect or removal of the penalties. Additionally, no funds of the post shall be expended or obligations incurred during and while the order of suspension is in force and effect, except as may be expended or obligated by the Administrative committee. The Chairperson shall take the necessary steps to secure all records, finances and property of the post. The purpose of the aforementioned Administrative committee is to supervise the fraternal and business operations of the post. Post meetings, functions and business operations are to continue under direct supervision of the Administrative committee. The committee will obtain copies of the post minutes for the 2017-2018 and 2018-2019 administrative years. If copies of the minutes cannot be obtained they will immediately notify the State Commander. The committee shall supervise all of the activities of the Post and though education and mentorship ensure full compliance with all applicable By-Laws, rules and regulations of the organization. Post members and officers shall take action under the guidance and approval of the administrative committee, but the committee's powers and approval authority are subject to final approval of the Department Commander. Committee Chair John shipley, is to submit a monthly progress report in writing to the Department Commandeer outlining the current status of all known deficiencies, what actions are being taken to correct said deficiencies, any training conducted with post officers or members and a plan of action to bring the post to working order no later than the fifth business day of the month. A final report will be submitted and will contain the committee's recombination as to whether the suspension shall be rescinded or continued or if the post charter should be revoked. In accordance with the department of Texas VFW guidelines for reimbursement (attached hereto) all costs associated with tis suspension will be the responsibility of VFW post 12162. By order of Ingeborg A. Conley. State Commander. Attest Dan West, State Adjutant. State Quartermaster pro tempore. I believe every received the letter stating the post was in suspension did they not? At this time I will take any questions that you may have. Are there any questions?

Lance Yaws: I make a motion that prior Commander Steve Mueller speak for the post.

Stephanie Pino: I second it.

John Shipley: uh. I'm not going to entertain any motions at this time. This is question and answer period. You may ask questions. Stand up.

Dan West: he's talking to Steve. Steve stand up and ask a question.

John Shipley: Did he ask a question? (1 tap of the gavel) No questions? Alright we will go to old business. Roll call of officers.

Henry fojtik: This is kind of the minutes of the meeting where not turned in?

John Shipley: Yes sir, because the quartermaster disobeyed a lawful order from the state commander to turn over the minutes of the post.

Henry fojtik: To turn the minutes into the post?

John Shipley: into to the department.

Henry fojtik: into department. ok. How long is he suspended forever for not. Can we reelect him in the future for commander?

John Shipley: normally the suspension is for the current year and if there are no charges against him and yes nothing else other than a suspension the following year, yes he will eligible to be reelected.

Henry fojtik: ok, thank you sir.

John Shipley: Any other questions? Yes comrade.

Fernando Belmares: Does that mean that our Commander, Quartermaster and the other officers in the post cannot be reelected tonight?

John Shipley: No. No. what it means is that Commander Steve Mueller has been relived and is no longer the commander. He cannot be put back into the commanders position this year and if there are no charges filed then next year you can reelect him as commander. Right now the post does not have a commander. The way it works, if a commander is relieved then the senior vice automatically moves up. The junior vice moves up to senior vice. If the senior vice decides or tell us he doesn't want to do it or they don't want to do it. Then the junior vice moves to commander. If the junior vice doesn't want to. In effect they both resign. Then you have to elect a commander, senior vice and a junior vice. Commander Yaws has said he will take the position. He hasn't declined it so he is now the commander and your junior vice has moved to senior vice. So you have to elect a junior vice if. if the post, when we get to that potion of meeting makes the motion they want to keep their charter and remain a post. and the vote is a, a vote for that then we will continue business and have elections. We will need to elect a junior vice and a quartermaster.

Fernando Belmares: can we. Get together the members of this post next month and in our elections so I can meet them. I don't know who I'm (interrupted by John Shipley)

John Shipley: You can. Uh. Have the elections at a meeting next month. We will. We will be here to run the meetings so you can have a meeting. Cuz without us you can run the meeting. You cannot have a meeting. Because the post is under suspension. But yes we can do that.

Fernando Belmares: ok, because like I say. I don't know anybody this is my first meeting. And I will like to meet with them members and get to know them. And then, we can vote on the officers. (Interrupted by John Shipley) Can we do that?

John Shipley: like I said. Once we get to the portion where we have a motion of the post to remain a post then we will do into the other part about the election.

Fernando Belmares: ok, can I make a motion that we.. (Interrupted by John Shipley)

John Shipley: we are not taking any motions right now. We are not in the business section or taking motion at the moment.

Fernando Belmares: so what happens tonight? (Interrupted by John Shipley)

John Shipley: The only motions we will entertain tonight are whether or not the post will retain its charter and whether or not you want to elect. That's the only thing we will have as far as post motions.

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Fernando Belmares: so I don't know if everybody here is a member of the post so I was hoping that you would let us go to our meeting having our members all present and then we talk about who we are going to elect. Elect you know our officers. Is that possible?

John Shipley: You. You can have your discussions after this meeting. But you cannot have a formal meeting without us being involved. No. The only meetings we are going to have is when this administrative council is here.

Fernando Belmares: so can we do it next month when the members are all together (Interrupted by John Shipley)

John Shipley: we can after. After we decide whether or not the post wants to remain a post we can have a motion to whether they want to do elections tonight or at the next meeting. We can have that then. Not right now.

Fernando Belmares: ok

John Shipley: ok?

Fernando Belmares: alight

John Shipley: is there any other questions?

Henry fojtik: Why was. The district summons to get the minutes for 17 and 18. Why? (Interrupted by John Shipley)

John Shipley: The district did not request them.

Henry fojtik: Is there a something they are looking for or something?

John Shipley: The district did not request them. The state Commander did. I do not know why the state commander wanted the minutes. It's not my question to ask why she wanted them. She is the state commander.

Henry fojtik: Is this standard procedure to request that?

John Shipley: The state commander overseas 300 and what posts?

D20 Chief of staff: 308

Dan West: 6

D20 Chief of staff: 8

John Shipley: ok. 308 posts. She has the authority to ask them for anything she needs or anything she wants to see.

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Henry fojtik: Was there a complaint against the post or something while he was (Interrupted by John Shipley)

John Shipley: I do not know if there was a complaint.

Henry fojtik: Seems like it is awfully suspicious I think, you know?

John Shipley: I will defer to comrade West and ask him if there was any complaints?

Dan West: We did receive some complaints about this post. Specifically about its record of community service and how the post was taken credit for community service that its members were doing when they were activated in the National Guard. Working for the Nation Guard and not out there working on behalf of the post. These came in from those members. We have received several other complaints as well. The state commander just wanted to verify that the post had approved those community service reports as the post is supposed to do at every post meeting. The adjutant refused to give us your post minutes that you approved. That's why she was relived. The state commander then appointed John shipley to do a post inspection under section 710 under the National By-Laws and talk with Steve Mueller, who refused to turn those documents over saying that all of you! Every single one of you here had approved hiring an attorney to sue the VFW. Which you can't do. Try it! Watch what happens! That's all I can tell ya! It's an internal matter. Governed by the By-Laws of this organization. Plain and simple. And the only thing I can equate that too is that if you are in the military and your commander says; I'm not going to listen to the general anymore! Or follow his orders! And these regulations were not going to follow them anymore! How long do you think that commander is going to be a commander? He's not! Ok. I can tell Steve wants to say something.

Steve Mueller: comrade commander

Dan West: does that answer your question sir?

Henry fojtik: oh yeah..

Steve Mueller: comrade commander can I have the floor?

John Shipley: You may speak.

Steve Mueller: Thank you sir. I would like Dan West to elaborate on the other charges besides the community service. What other complaints were registered with Department?

Dan West: We have documentation were you have made statements that anybody of the Vietnam era need to die and go away cus they are no worth to the VFW. We have that from several different people actually and we consider that disrespectful to the veterans who came before and who are that backbone of this organization. There are few other more. I'm not going to elaborate with that. Disciplinary charges will be filed against you. It will spell it all out there plus what you need to do request a hearing.

Steve Mueller: comrade commander. I would like elaboration on the November 15th meeting alleging section 214 violation. Specifically what violation was committed?