



**FRATERNAL ORDER OF EAGLES
Aerie 4089
PORT ORANGE, *FLORIDA***

Date: 11/6/2023

AERIE BY-LAWS

Port Orange Aerie No. 4089, Fraternal Order of Eagles, Instituted by authority of the Grand Aerie of the Fraternal Order of Eagles.

This Aerie was incorporated under the laws of the State of Florida on the 5th day of May 1984

MEETINGS

Section 1.1

The meetings of this Aerie shall be held on the 1st and 3rd Mondays, at the hour of 7:00 PM. The place of the meeting shall be 5130 South Ridgewood Avenue, Port Orange, FL 32127.

Section 1.2

Special meetings of this Aerie shall be held in conformity with Section 72.2 Statutes for Local Aeries or Laws amendatory thereof.

Section 1.3

The Officers' meeting shall be held 1 half hour prior to the regularly scheduled meeting at the same location, on the same date.

NOMINATION AND ELECTIONS

Section 2.1

The annual nomination, election and installation of Officers shall be as provided in Section 91.1 to 91.7 Statutes, Fraternal Order of Eagles, or Laws amendatory thereof. Vacancies in office shall be filled as provided in Section 92.1 Statutes, F.O.E., or laws amendatory thereof.

Section 2.2

All Officers of Aerie 4089 shall serve a term of one year, commencing with initiation of Officers and continuing to next years' initiation of Officers, except for Trustees (see section 2.7).

Section 2.3

The election of officers shall be by printed ballot. The polls shall open at 10:00 AM and the polls shall close at 6:00 PM. The election results will be announced by the Worthy President with the final vote counts of all candidates.

Section 2.4

Tellers shall be appointed by the Worthy President.

Section 2.5

As Per Grand Aerie Statutes section 80.4, the Aerie Secretary may serve on the Board of Trustees of this Aerie, if elected as one of the five elected Trustees.

Section 2.7

There shall be Five (5) elected Trustees, and they shall be elected for a term of two years each. To run for Trustee, you must have served as an officer for one year or appointed as an officer and served at least six (6) months.

Section 2.7(a)

The Junior Past Worthy President, while serving as such, shall NOT serve as a member of the Board of Trustees of this Aerie.

Section 2.8

Nomination of candidates for election to office shall be announced by the Worthy President and a date for start of nominations shall be set. A list for nominees shall be posted in the Aerie Social Room and remain posted for a period of 30 days prior to the election. A member may nominate a candidate for office, or a member may nominate themselves either by adding their name to the list, giving a letter of declaration to the Worthy President or on the floor nomination night.

Section 2.9

Upon entering the polling place in the Aerie, members shall present their membership card for review and verification by the tellers. Upon verifying the member is in good standing the Aerie member may complete his ballot and return it to tellers table

Section 2.10

After the close of the election, the tellers shall count the votes and report the results to the Worthy President. The Worthy President will officially announce the election results at the next scheduled meeting.

AERIE MEMBERSHIP

Section 3.1

The fee for membership by initiation shall be \$25.00 (Twenty-five Dollars), which shall be divided as follows:

- (a) Benefit Fund \$10.00 (Ten Dollars)
- (b) General Fund \$15.00 (Fifteen Dollars)

Section 3.1(a)

The fee for re-enrollment of membership shall be \$25.00 (Twenty-five Dollars). All applicants for re-enrollment must follow Section 3.3 of these By-Laws and be voted on in conformity with section 70.17(a) of the statutes.

Section 3.2

To be considered for membership, every applicant must be 21 years of age on the date of initiation, submit a completed application form and be sponsored by two current members in good standing. The completed application form must be accompanied by the initiation fee as stated in Section 3.1 of these By-Laws.

Section 3.3

All applicants shall produce a picture ID, i.e., driver's license or state ID, when being interviewed for membership.

Section 3.5

Non-beneficial Life Membership Cards may NOT be granted to members of this Aerie.

Section 3.6

The method used by this Aerie to accept an applicant for membership shall be by secret ballot. To be accepted as a member a majority vote of those present must be obtained.

FUNDS

Section 4.1 (add social 11/06/23)

The following funds are hereby established for this Aerie:

- | | |
|-------------------------------|--------------------------|
| (a) Benefit Fund | (b) General Fund |
| (c) Building Maintenance Fund | (d) Trustees Bar Account |
| (e) Social Fund | |

Section 4.2

Trustees Bar Account shall maintain a balance of \$20,000.00 after each weekly report to the Secretary. This balance will be made up of cash balance and checkbook balance.

Section 4.3

By resolution the Aerie shall designate an F.D.I.C. banking institution in which each of the said funds shall be separately deposited. Such deposits shall be made in the name of the Aerie.

Section 4.4

All financial transactions between the General Fund and Building Maintenance Fund shall be approved by the Finance Committee and will be reported to the membership at the next scheduled meeting. No Transactions can be made between the Benefit Fund and any other fund as per Section 110.3 Statutes Fraternal Order of Eagles

DUES

Section 5.3

The dues of Non-Beneficial Members i.e., members who are not entitled to receive sick or funeral benefits, shall be \$45.00 (Forty-Five Dollars) per year, payable in advance, by May 31st. All members of Aerie 4089 shall be non-beneficial members.

Section 5.4 - (Changed 12/20/21)

Dues of Non-Beneficial Members shall be divided annually among the various funds as follows:

- | | |
|-------------------|---------------------------|
| (a) Benefit Fund | \$15.00 (Fifteen Dollars) |
| (b) General Fund | \$20.00 (Twenty Dollars) |
| (c) Building Fund | \$10.00 (Ten Dollars) |

Section 5.5a (change 2023)

Dues of Dual Members shall be \$35.00 (Thirty-Five Dollars) per year.

Section 5.5b (change 11/6/23)

Dues for Transferring Members shall be \$40.00 (Forty Dollars) per year.

Section 5.6 (change 11/6/23)

Dues of Dual and Transferring Members shall be deposited in the General Fund

Section 5.7

Any qualified member may make application for a "Golden Age Eagle" Membership.

Qualification: includes:

- Member of the order for 30 years
- and has reached the age of 65

Section 5.8 (new 11/6/23)

All dues shall be pro-rated.

DUTIES OF OFFICERS

Section 6.2

Upon having received due notice of a member being in dire circumstances, the Worthy President may provide temporary financial aid to said member, not to exceed

the sum of \$300.00 (Three Hundred) to be paid from the General Fund.

Section 6.3

If any officer absents from three (3) consecutive meeting of this Aerie, occurring on three separate dates, or duly called or stated officers meeting or trustees meeting, or any combination thereof, so long as they are consecutive, without being excused by vote of the Aerie in regular session, the office of such officer so absenting shall be declared vacant by the presiding officer.

Section 6.7

House Rules governing the premises and the conduct of members thereon shall be adopted by this Aerie, and such House Rules as adopted shall be posted in a conspicuous place in the Aerie premises. House Rules shall be adopted and amended in the same manner as the By-Laws of the Aerie.

Section 6.8 (Change 11/6/23)

As provided for in Section 89.2, Statutes, F.O.E., or laws amendatory thereof, and within the constraints of the Aerie By-Laws, the Board of Trustees is empowered to employ and discharge employees, increase or reduce salaries; supervise and control the duties and conduct of employees; supervise and control the daily operation of the social room; purchase and set pricing of merchandise for sale in the social room and supervise the normal maintenance of the Aerie.

The Board of Trustees by vote can spend up to \$1000.00 for needs of the business once approved by the Worthy President. This expenditure must be reported at the next Aerie meeting.

The Board of Trustees is obligated to the Aerie membership to conduct the operation of the social quarters of the Aerie in a fiscally sound manner.

Section 6.9

It is the duty of the Board of Trustees, as a Board and not as individuals, to enforce all rules governing the premises and conduct of the members thereon, as adopted by the Aerie in the House Rules.

FUNERAL BENEFITS

Section 8.2 (Change 11/6/23)

On the death of a member, the Aerie shall provide a suitable floral or other form of tribute, cost not to exceed the sum of \$300.00 (Three Hundred Dollars) to be paid from the General Fund. If the member is the holder of a Military Service Receipt and the death is a direct result of Honorable service while on active duty, a reasonable cost to transport the floral or other form of tribute, if so needed, shall be allowed.

SALARIES

Section 9.2

The Secretary shall receive a per capita compensation, payable monthly, based upon the number of members who are in good standing, and not more than One (1) month in arrears as follows: \$.40 cents per member paid from the General Fund.

Section 9.2 (a) (Change 11/06/23)

In accordance with Section 85.12, Statutes for Local Aeries, or laws amendatory thereto, an Assistant Secretary appointed by the Secretary, shall receive a per capita compensation payable monthly, based upon the number of members who are in good standing, and not more than One (1) month in arrears as follows: \$.20 cents per member paid from the General Fund. If the incumbent Secretary is incapacitated for a period of 30 days or more and cannot perform his or her secretarial duties. The Assistant Secretary shall be compensated according to section 9.2 and will be paid until such time as the incumbent Secretary is able to resume his or her normal duties. The incumbent Secretary will not receive any compensation during the period of his incapacitation.

Section 9.2(b) (new 11/06/23)

The Trustees & President shall receive compensation of \$250.00 (Two Hundred Fifty Dollars) per month based on a minimum of at least (30) hours of work per week devoted strictly to the Aerie and its operations, this does not include attending meetings.

Section 9.9 – (Change 11/06/23)

The salary of Aerie employees' positions shall be fixed by the Board of Trustees and not to exceed the following guidelines for maximum hourly rates and hours worked.

Maximum Rates and Hours Allowed:

Club Manager (salaried employee) ___	\$250.00 Weekly
Full Time Bartender _____	\$11.00 - 40 Hrs.
Part Time Bartender _____	\$8.00 - 30 Hrs.
Full Time Kitchen Staff _____	\$22.00 - 50 Hrs.
Part Time Kitchen Staff _____	\$17.00 - 30 Hrs.

Full Time and Part Positions will be determined by the Board of Trustees.

Section 9.9 (a) (change 11/06/23)

All Aerie employees considered full-time by the Board of Trustees shall be entitled to vacation after one full year of employment. The employment years for full-time employees shall be continuous employment. The following schedule shall be as follows:

- 1-4 years.....1 week (one week's avg. salary)
- 5-9 years.....2 weeks (two week's avg. salary)
- 10 years or more.....3 weeks (three weeks avg. salary)

In lieu of time off the employee may take the vacation pay without taking the time off. Vacation time can not be accumulated from year to year.

Section 9.9 (b)

Club Manager shall be responsible to perform his duties as defined in the Trustees Guidelines for Club Manager. The Club manager is selected and/or hired by the Board of Trustees according to Statutes Section 89.2.

Section 9.10 (Change 11/06/23)

Whenever the Aerie, by proper resolution authorizes its duly elected delegates or representatives to attend any sanctioned Conference or Convention, each may for his or her attendance, if approved, be allowed the following when traveling to and from said convention by the most direct route:

- (a) Airline coach fare or unreserved railroad coach fare or if traveling by automobile, the Federal Approved Mileage allowance per mile round trip.
- (b) Registration fee.
- (c) \$200.00 (Two hundred Dollars) per day while going to and when in actual attendance at the State Convention.

Section 9.11

For an Aerie Member to be considered as a paid delegate, they must have attended at least sixteen (16) meetings or been an active member for the year in which they are being considered as a delegate.

Section 10.1

The Worthy President, Worthy Vice-President, Secretary, Treasurer and each Trustee and other employees/volunteers of the Aerie who handle monies of the Aerie shall be bonded. The bond purchased by the Aerie will be in the amount of \$100,000 dollars. (One hundred thousand dollars) (Updated 12/7/2020)

Section 10.2

No officer or employee shall be permitted to assume or discharge the duties of his or her office or employment until bonded.

MISCELLANEOUS

Section 13.1 (Change 11/06/23)

In appreciation of services rendered by the retiring Worthy President, the Aerie may, by resolution adopted by the Aerie, present some suitable gratuity to the retiring Worthy President, at a cost not to exceed the sum of \$300.00 (Three-Hundred Dollars) to be paid from the General Fund.

Section 13.2

Where the Constitution and Statutes of the fraternal order of Eagles, and the Rules and Regulations of the Fraternity, and these By-Laws do not cover or control, Robert's Rules of Order, (revised) shall govern the action and deliberations of this Aerie.

Section 13.3

The duties of the Aerie interviewing Committee, as appointed by the Worthy President and as authorized by Section 100.2 Statutes for Local Aerie or laws amendatory thereto, shall include the following.

a) The Interviewing Committee will be required to review the Aerie House Rules with all new applicants during their interviews.

Section 13.4

Any proposed changes, additions or deletions to these by-laws/house rules shall be proposed in writing and signed by three members then presented to the Worthy President. The Worthy President shall present the proposed changes to the By-Laws committee. The By-Laws committee shall review suggested amendments and if not inconsistent or in conflict with the Laws of the Order, propose such changes in compliance with Section 122.2 Statutes, By-Laws of Local Aerie, Fraternal Order of Eagles, or Laws amendatory thereof.

Section 13.5 **deleted 11/06/23**

~~Aerie 4089 has authorized the formation of Internal Unit, Junior Order of Eagles (JOE) by Aerie vote on 10/5/2015. This internal unit is subject to the control of the Aerie and to the Rules and Regulation of the Grand Aerie.~~

By-Laws Committee: (Signed)

Robert Braun

Jim Schiavo

Dwayne Brown

Frank Machuga

Mike Muller

These amendments were adopted as provided in Section 122 Statues, F.O.E.

First Reading (Introduced) October 2, 2023

Second Reading October 15, 2023

Third Reading (Adopted) Discussion and Vote November 6, 2023

Attest:

Bruce Farry (Worthy President)

Richard Barr (Secretary)

Approved this _____ day of _____ 2023.

Grand Secretary, F.O.E.