

COLORADO BOARD OF VETERANS AFFAIRS BYLAWS

APRIL 2021

ARTICLE I: Principal Office

The principal office of the Board is the Division of Veterans Affairs, 1355 South Colorado Blvd., Bldg C, Suite 113, Denver, CO 80222.

ARTICLE II: Members and Procedures

Section 1 - Appointment and Qualifications

The Governor appoints and the State Senate confirms each member of the Board. An appointee must be a veteran who has been honorably released or separated from the armed forces of the United States of America.

Section 2 - Compensation

Board Members will serve without compensation except for the reimbursement of necessary expenses as provided by law.

Section 3 - Voting Right

Each appointed Board member is entitled to one vote for actions of the Board. Voting by proxy is not allowed.

Section 4 - Voting Procedures

All Board members must vote in person when initiated by the Chairman, which is satisfied by a member's physical presence at a meeting or a member's remote participation in a meeting via telephone or video tele-conferencing technology.

Section 5 - Board Meeting Attendance

Attendance at all Board meetings is expected of each member.

Section 6 - Member Removal

Written notice of resignation should be addressed to the Office of the Governor, Boards and Commissions with a copy furnished to the Adjutant General and Board Chairman. Resignation shall take effect on the date of receipt of such notice or at a later time specified therein.

Acceptance of such resignation shall not be necessary to make the resignation effective.

Section 7 - Transfer of Membership

Board membership is not transferable or assignable.

Article III: Meetings of Members

Section 1. Regular Meetings

All Board meetings are subject to the requirements of Colorado Revised Statutes 24-6-401 et. seq regarding open meetings and open records. Proper public notice of all meetings to include committees and meetings of two or more Board members must be given. Board meetings will be held monthly without any other notice than these Bylaws. Regular Board meetings may be held at locations as determined by consensus of the Board and will normally be scheduled on the same day of each month. The Board will annually hold not less than one meeting west of the continental divide, one meeting east of the continental divide outside of the Denver metropolitan area, and one meeting at one of the Colorado State Veterans' Homes. The Board may provide, by resolution, the time and place for holding additional regular meetings with proper public notice. The Board may, by resolution, cancel, postpone, or continue any regular Board meeting after providing proper public notice.

Section 2 - Special Meetings

Special meetings may be called at any time, subject to the provisions of the open meetings act, by the chairman or at the request of any three Board members.

Section 3- Notice of Special Meetings

Notice of any special Board meeting shall be given to Board members and the public at least seven days in advance, except if the Chairman determines that the circumstances warrant less than seven days advance notice, in which case at least 24 hours advance notice is all that is required.

Section 4 - Public Meetings

Executive sessions may be held in accordance with the law, at any regular or special board meetings upon the affirmative vote of two-thirds of the number of Board members fixed by statute.

Section 5 - Meeting Order of Business and Rules

The Board may establish the order-of-business and prescribe reasonable rules for the conduct of all Board meetings. The order-of-business at all meetings shall generally follow Robert's Rules of Order, Newly Revised.

Section 6 - Quorum

A quorum for the transaction of public business is a majority of the number of members fixed by statute.

Section 7 - Conflict of Interest

Board members shall not perform any official act where they have a direct economic benefit or a business or other undertaking in which such action has a direct or substantial financial interest. Where a conflict of interest is present, the member having such conflict shall fully disclose it on the record and shall abstain from any action. Mere membership in an organization need not be a conflict of interest but should be disclosed. Membership and a position of leadership or significant influence in an organization would be perceived as a conflict and will result in the member removing him or herself from the room when issues pertaining to that organization are discussed. Board members will annually update conflict of interest statements and update whenever there is a change to their status or membership in outside organizations. The Board will normally do annual conflict of interest

updates, discussion and training at the July meetings.

Section 8 - Standards of Conduct

The current Governor's Executive Order "Executive Department Code of Ethics" will be a part of these by-laws and attached thereto.

Section 9 - Board Decisions

The act of a majority of the Board present at a meeting at which a quorum is present will be the act of the Board, unless the act of a greater number is required by statute or these Bylaws.

Decisions which are not unanimous will be recorded in meeting minutes and will reflect each member's vote.

ARTICLE IV: Officers

Section 1 - Officers

Board Officers are chairman, vice chairman, and secretary.

Section 2 - Chairman

The Chairman shall preside at all Board meetings. The chairman, subject to Board direction and supervision, will have general and active control of its affairs.

Section 3 - Vice Chairman

The Vice Chairman shall serve in the absence of the Chairman and perform other duties as assigned by the Chairman.

Section 4 - Secretary

The board may request a DVA Division staff with the DVA Directors consent to serve as administrative support to the Board Secretary. The Secretary shall keep a full and true record of Board proceedings, preserve at the principal office all books, documents, and papers, and perform such other duties as the Board or Chairman may prescribe. The

Secretary shall:

- Send out notifications of upcoming meetings.
- Send out notice of agendas with attachments to board members 7 days before the meeting.
- Prepare minutes of the board meetings within two weeks of the board meeting.
- Post online all board meeting minutes in a timely manner at least two weeks after the next monthly meeting.
- Record the Board meeting.
- Prepare documents for signature for the Chairman of the Board.
- Determine the location of the meetings in the Colorado counties or cities in cooperation with the board
- Coordinate the continuing education of the Board.
- Conduct annual training of the board to include statutory mandated information, best practices and expectations of board member.

Section 5. Officer Vacancies

Board officer vacancies will be filled as the Board may direct by resolution.

Section 6. Term and Removal

Board officers will be elected at the first regular meeting after June 1 of every odd numbered year. Each officer will hold office until his or her successor has been duly elected and qualified. Any officer elected or appointed may be removed by the Board whenever, in the Board's judgment, the best interest of the Board would be served thereby.

ARTICLE V: Books and Records

Section 1. Retention of Records

All Board records shall be retained in accordance with statute or these Bylaws. The Board principal office will be the office of record for all records.

Section 2. Tape Recordings

A tape-recording shall be made of each Board meeting and retained in the records in accordance with section I of this article.

Section 3. Transcription of Record

Upon request of any person or order of court, the Director, Division of Veterans Affairs shall cause to be transcribed the verbatim record with attached, accurate copies of all exhibits thereto. The party requesting preparation of a transcript or causing the issuance of a court order therefore shall pay all costs. "Costs" for the purpose of this section will include applicable staff salaries while preparing said transcript, photocopying, actual contract transcription fees, and any and all other charges incurred in preparation of said record. Such cost shall be determined by the Director, Division of Veterans Affairs in accordance with the normal and usual cost prescribed by Colorado statute or rule of the Division. The Director, Division of Veterans Affairs may require a security deposit.

ARTICLE VI: Reports

Section 1. Veterans Trust Fund Report

A report evaluating the implementation, programs, grants, or other expenditures of the trust fund shall be prepared for the Department of Public Health and Environment.

Section 2. Annual Report to Governor and General Assembly

The Board shall annually submit, through the Adjutant General, a report to the Governor, the Senate and House of Representatives State, Military and Veterans Affairs Committees on the status of all programs providing services to state veterans, including, but not limited to changes to policies, procedures, or laws. The report shall be due to these entities not later than December 31.

ARTICLE VII - Committees

Section 1. Committees Formed

The Chairman shall appoint the chairman and members of all committees. There shall be three standing committees and such other committees as the Chairman directs.

Section 2. Veterans Trust Fund

This will be a standing committee appointed by the Chairman. The committee shall prepare a draft Veterans Trust Fund Policy that will include grant review procedures and address all criteria delineated in Colorado Revised Statute 28-5-709 (5). The committee shall review all applications and recommend to the Board the best qualified applicants and the amount and term of funding for final Board review and vote. The committee shall prepare a draft of the report required by Colorado Revised Statute 28-5-709 and Article VI, Section 1 of these By-Laws.

Section 3. Training Review

This will be a standing committee, appointed by the Chairman. Bi-annually the committee shall review the program established by the Division of Veteran Affairs for the training and certification of newly appointed county veterans service officers. The committee may recommend to the Board and the Director, Division of Veterans Affairs, modifications to the training program.

Section 4. Veterans Assistance Grant

This will be a standing committee appointed by the Chairman. The Committee shall assist the Adjutant General, in adopting rules for the administration of the program in accordance with Colorado Revised Statute 28-5-712. They shall perform any other such actions as the rules may proscribe.

Section 5. Non-Board Members of Committees

The Board, by resolution, may invite non-members to serve on committees. Such committee members shall serve at the pleasure of the Board under the direction of the committee chairman. All committee members, whether or not a member of the Board, shall enjoy equal voting rights and privileges within the committee. However, non-Board committee members shall have no voting rights on Board decisions.

ARTICLE VID: Amendment to Bylaws

Amendments to Bylaws

Proposed Bylaws changes will be submitted to the Board in writing or electronically not less than two weeks prior to any action initiated to change such Bylaws. The Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a two-thirds Board majority vote.

The above Bylaws were approved at a regularly scheduled meeting of the Colorado Board of Veterans Affairs on December 12, 2001 by a vote of six affirmative, zero negative. These Bylaws were amended at the regular meeting of the Board as prescribed in Article VIII on April 13, 2010 by a unanimous vote, further amended at the regular meeting of the Board on June 12, 2014 by unanimous vote, and subsequently amended at the regular meeting of the Board on April 02, 2021.


Patricia Hammon, Chair

5/6/22
Date


Lacey Gofonka, Secretary

5/18/2022
Date