

MESA COUNTY SHERIFF'S POSSE

BY-LAWS



**Revised
May, 2011**

ARTICLE I

NAME

The name of the organization shall be “Mesa County Sheriff’s Posse” (the “Posse.”)

ARTICLE II

PURPOSE AND OBJECTIVES

Section 1. The purpose of the organization is to aid the Sheriff’s Department (the “Department”) in any or all emergencies in which the department should deem it advisable to press said Posse into service, either in part or in whole.

Section 2. To further the interest of good horsemanship, to teach and practice good sportsmanship, to promote and further the livestock industry in this locality, to interest young people in our activities and assist in juvenile rehabilitation, may sponsor rodeo-type activities and assist, if deemed necessary by the membership, all other worthwhile projects for the benefit of Mesa County.

ARTICLE III

NON-AFFILIATION

Section 1. This Posse shall be non-commercial, non-sectarian and non-partisan. No commercial enterprise nor any candidate for public office shall be endorsed by the Posse. The name of the Posse or its officers in their official capacities shall not be used in connection with a commercial concern or with any partisan interest or, for other than the regular purpose and objectives of the Posse.

Section 2. The real and personal property purchased by, donated to, or otherwise acquired by the Posse shall remain the property of the entire organization during its existence. In the event the corporation is dissolved, all property of the corporation, after payment of lawful obligations of the corporation, will be conveyed and transferred to a trust account in a bank selected by the Posse to serve as trustee. The money received for said property shall be kept in the designated account, with accrued interest to be disbursed annually, with a division of 2/3 to the Mesa State College Agricultural Scholarship Fund and 1/3 to Hospice and Palliative Care of Mesa County.

Section 3. This organization shall be incorporated according to the laws of the State of Colorado governing a non-profit organization.

ARTICLE IV

MEMBERSHIP

Section 1. The membership of the Posse shall not exceed fifty (50) active members. Associate members, honorary members, and honorary life members are not to be included in this limit.

Section 2. Active members hereinafter designated as members shall be restricted to members in good standing. Any person desiring to become a member shall have fulfilled the following requirements:

1. The applicant shall have served six (6) months as an associate member and have attended at least four (4) meetings out of the six meetings immediately prior to application, rising in the order of first come, first served basis.
2. Minimum age for membership shall be 21 years.
3. The applicant must be of good moral character.
4. The applicant must be cleared through the Mesa County Sheriff's Department.
5. The applicant must subscribe to the purposes and objectives of the Posse.
6. The applicant must be a resident of Mesa County, Colorado.
7. Active participation in Posse activities, per Standing Rule #7, is required.

Active members shall be compelled to fulfill the following annual requirements to maintain active status:

1. The financial obligation must be fulfilled.
2. Uniform inspection must be fulfilled.
3. Attendance at a minimum of 50% of all monthly meetings is required. In the event this is impossible, makeup meetings will be considered by attendance at the Board of Directors' meetings, unless excused by the Board of Directors.

Section 3. Associate members must be over sixteen (16) years of age, interested in the Posse, and desire to take an active part. The candidate for associate membership shall submit an application with the required annual membership dues to the membership committee. The committee shall notify the applicant of the Posse's decision. Associate members shall have all the privileges of active members except the right to vote and hold office. Associate members becoming eligible for active membership shall submit an application for membership if they so desire, and shall have priority over new applications. Honorary members are to be appointed annually by a majority vote of the active members present at the scheduled.

JUNIOR ASSOCIATE MEMBERS shall be members who wish to participate in certain Posse activities that do not include law enforcement or searches. They may participate only when a parent or guardian is present. Upon reaching the age of sixteen (16) years, Junior Associate Members shall automatically move into Associate Membership.

HONORARY LIFE MEMBERSHIP shall be deemed the highest honor the Posse can bestow upon an active member in return for long service and fellowship. This honor may be given to any willing active member in good standing who has been paid up for fifteen (15) years or longer, reached 50 years of age or, who is a charter member or whose health prohibits continued active service. The achievements of the candidate must be submitted by an active member in good standing, in writing, to each of the Board of Directors for consideration. When the Board of Directors present at any board meeting vote unanimously to bestow this honor, a motion shall be brought before the general membership for their approval. A two-thirds (2/3) vote of the general membership shall be necessary to pass the motion.

AN HONORARY LIFE MEMBER shall retain their badge and their right to vote. The member may attend all functions of the Posse, and shall be entitled to carry a gold card identifying them as an honorary life member. They shall be a member in good standing at all times.

Section 4. No member who is in arrears in payment of dues shall vote, hold office, or be entitled to receive reports of the transactions of the Posse. It shall be the duty of the First Vice President to erase from the rolls of membership the names of any person who is in arrears for two (2) months. The First Vice President shall notify all unpaid members by February 1 of each year. Any member dropped from the roll for non-payment of dues may be reinstated only upon filing a new application and paying the regular initiation fee as a new member. If a member leaves the Posse for any unjustifiable cause, a six month waiting period shall be required before a new application for membership can be filed to join the Posse as a new member. Any member dropped from the roll must relinquish their badge, card and saddle blanket.

Section 5. Application for associate membership is received by the First Vice President who sends the application to the Sheriff for approval. Upon approval by the Sheriff, the application is read at the first available board meeting. At the next general meeting attended by the prospective associate member, they will be introduced to the membership by their sponsor. The new applicant will then be excused from the meeting. Voting by secret ballot will then proceed, with five (5) "no" votes invalidating the application. Should the application be invalidated, the sponsor may call for clarification of the "no" votes as described in Section 6.2.

Section 6. After serving six (6) months as an associate member and attending at least four (4) meetings out of the six prior to their application, the First Vice President will announce the name of the qualified prospective members to membership. Should an opening not be available, the prospective member will be required to continue the attendance record already mentioned. Provided there

is an opening, the prospective member will be asked to leave the meeting. The sponsor of this associate member will then be asked to address the membership concerning the prospective member. After discussion has been completed, a secret ballot will then proceed. The following results will govern the proceedings:

6.1. Should the “yes” votes be less than two-thirds of the membership in attendance, the prospective member’s name will be removed from the roll call and the initiation fee returned.

6.2. Should the “no” votes be three (3) for active member or five (5) for associate, the “no” votes will be able to protect their vote by submitting a claim in writing to the First Vice President before the next board meeting. At that time, the board will review these claims for validity. The First Vice President will not be allowed to reveal the identity of any claimant. By a two-thirds majority of the board present, all claims deemed invalid due to reasons not affecting the Posse in any way will be stricken from the ballot. Should the board find one or more claims valid, the prospective member’s name will be stricken from the rolls as described in 6.1.

6.3. Should the “no” votes be less than three, the associate member will be informed by their sponsor that they are a member of the Mesa County Sheriff’s Posse.

6.4. In all the above, the sponsor will inform the associate member in question of the membership decision.

Section 7. Membership requirements:

1. Dues paid on or before the March regular meeting.
2. Attend six meetings per year.
3. Maintain uniform and equipment that conforms to Posse standards.
4. No alcoholic beverages may be consumed by any member of the Posse while in the uniform, or any part of the uniform, of the Posse.

Section 8. Any member whose conduct would create embarrassment to the Posse, or who misuses the badge, membership card or commission card given to them by the Sheriff is subject to expulsion by the Sheriff. Any charges against a member shall be presented to the President of the Posse in writing by two or more members. The Board of Directors shall investigate the charges and, if there appears to be sufficient evidence, they shall advise the member being so charged about the charges against them. Such member(s) shall then have the right to submit a written defense and to appear in person or by means of a duly authorized representative a meeting of the Board of Directors. Notice of the meeting shall be given a minimum of twenty (20) days prior to said meeting. If, in the opinion of the Board of Directors, a satisfactory defense has not been made, the matter shall be reported to the Posse at the next regular meeting for final disposition. A two-thirds vote by ballot shall be necessary for expulsion or other considerations as the board sees fit to impose.

ARTICLE V

APPLICATION AND MEMBERSHIP FEES

Section 1. The initiation fee for associate membership shall be as per Standing Rule Number 1. Junior associate members shall not pay initiation fees. Initiation fees to be refunded if application is rejected.

Section 2. Application fee for regular membership shall be as per Standing Rule Number 2.

Section 3. The annual dues for regular and associate members shall not exceed Standing Rule Number 2, payable each year in advance, due on January 1. Dues shall be considered in arrears if not paid by the regular meeting in March of each year. Associate members must pay at least the same as Standing Rule Number 2 per year within the same time limits as active members, plus whatever donation they wish to make to the Posse. Junior associate members shall pay dues as per Standing Rule No. 3 within the same time limit as active and associate members.

Section 4. Upon acceptance as an associate member, the following will be issued:

1. One name plate
2. Two shoulder patches

Upon acceptance as a regular member and, with receipt of a refundable \$65 deposit, the following will be issued:

1. One badge

These items will remain the property of the Mesa County Sheriff's Posse.

Section 5. Members returning from service in the Armed Forces shall be reinstated to their former membership at the first opening. They shall not be required to pay any dues for the first calendar year or part thereof or for the duration of military duty.

ARTICLE VI

EQUIPMENT

Section 1. A member must either control or have at his immediate disposal at all times: suitable horse, western saddle, means of transportation for horse and equipment, bedroll, slicker, lariat, flashlight, eating utensils and canteen. Failure to maintain said equipment shall subject a member to suspension. Equipment to be approved by Equipment Committee.

Section 2. A member must own their own uniform for membership, such uniform as per Standing Rule No. 4, and must keep each and all parts of said uniform and equipment in first class condition at all times.

Section 3. Regular members shall be compelled to attend, in full uniform, any designated Posse functions. The Second Vice President shall report all failures to comply to the Board of Directors for action, according to Article IV, Section 8. The failing member must appear in full uniform or present equipment before the Board of Directors at a designated meeting.

Section 4. All regular and associate members shall receive a copy of the By Laws and be familiar with all parts of same.

ARTICLE VII

BOARD OF DIRECTORS

Section 1. The property and affairs of the Posse shall be managed and controlled by a Board of Directors consisting of thirteen (13) regular members, six (6) of whom shall be elected at the annual meeting, or as soon thereafter as elections may be held, and hold their office as provided herein until their successors are elected. The President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer, and Immediate Past President shall compose the remaining members of the Board of Directors.

Section 2. When elected, the first directors elected under the By Laws shall draw for one- and two-year terms. Three of the elected directors shall hold two-year terms and three of the directors shall hold one-year terms. A person holding the office of director by virtue of election to another office shall be a director only as long as they hold elective office. Thereafter, directors elected as such shall be elected for terms of two years and until their successors are qualified for terms.

Section 3. In the event of any vacancy on the Board of Directors or in any elective office, the remaining directors shall elect a regular member to fill the unexpired term at the next regular meeting, with final approval by the membership of the Posse. In the event that any board member fails to attend three (3) regular

and/or board meetings during the first five (5) months of office, that position on the Board of Directors shall be declared vacant.

Section 4. The Board of Directors may authorize the officers, in accordance with these By Laws, to make deposits in a depository designated by the Board of Directors of all funds of the Posse, to withdraw funds by check, and to incur indebtedness on open accounts only. The Board of Directors may authorize the officers to sell property, other than real estate, and to dispose of and replace worn, used or unsuitable property. Any sales of real estate or of the entire plant of the Posse may be made only after a secret written vote in favor of such sale by two-thirds (2/3) of the entire membership, after two-thirds (2/3) of the Advisory and Planning Committee has recommended such sale.

Section 5. The Board of Directors shall have power to make rules for their own government and for the government of the property and affairs of the Posse, to prescribe and enforce penalties for violation of the Rules and By Laws of the Posse, and shall have and exercise such other powers as may be necessary or proper to manage the property and affairs of the organization and, subject to restrictions relating to the sale of real property, shall have exclusive power to authorize contracts obligating the Posse. All expenditures must be approved by the Board of Directors previous to implementation of same. Annually, the Board of Directors shall employ a qualified auditor or auditing firm or, three (3) posse members, to audit the books and affairs of the Posse and report to the Board, which, in turn will report same to the Posse.

Section 6. The employees of the Posse shall be subject to the control of and shall be selected and discharged by the Board of Directors.

Section 7. The Rules and Regulations made by the Board of Directors of the Posse shall constitute part of the By Laws.

ARTICLE VIII

OFFICERS

Section 1. The officers of the Posse shall consist of the following: President, First Vice President, Second Vice President, Third Vice President, Secretary and Treasurer.

Section 2. A President, who shall have the rank of Captain, shall be elected by a vote of the membership at the annual meeting or as soon thereafter as the election may be held, and shall serve a term of one year. The President shall be a member of the Board of Directors during his/her term of office, and shall have the powers, responsibilities, duties and privileges herein specified. The President may call special meetings of the Board of Directors and of the Posse. The President shall preside at all meetings of the Posse and shall appoint Squad Leaders to squads.

The President shall preserve order and decorum and perform all duties consistent with this office.

Section 3. The First Vice President shall have the rank of First Lieutenant of the Posse and shall be elected by the members for a term of one year. He/she shall be a member of the Board of Directors for his/her term of office and, in the event of the President's inability to perform the duties of President for any reason, shall perform such duties and shall have the powers, obligations and privileges of the President. The First Vice President shall be Membership Chair and in charge of all Membership Committee activities. He/she shall issue all membership cards and certify to membership in good standing. He/she shall maintain membership attendance records.

Section 4. The Second Vice President shall have the rank of Second Lieutenant of the Posse and shall be elected by the members for a term of one year. He/she shall be a member of the Board of Directors for his/her term of office. The Second Vice President shall be Chair of the Activity Committee, shall be head of the committee on all planning and participation in Posse events such as parades, drills, etc. He/she shall have the authority to reject any and all members from drill or parade participation if not dressed according to the Posse's Rules and Regulations of uniform behavior.

Section 5. The Third Vice President shall have the rank of Second Lieutenant and shall be elected by the members for a term of one year. He/she shall be a member of the Board of Directors for his/her term of office. The Third Vice President shall act as Historian.

Section 6. The Secretary shall be appointed by the Board of Directors for a term of one year and shall be a member of the Board of Directors for his/her term of office. The Secretary shall be responsible for keeping of the minutes of the meetings and for giving all notices in writing of all meetings and activities.

Section 7. The Treasurer shall be elected by the members for a term of one year and shall be a member of the Board of Directors during that term of office. The Treasurer shall be responsible for the keeping of all funds and monies of the Posse and shall collect all fees, assessments and dues and keep records of payment of dues. He/she shall issue all checks countersigned by the President, First Vice President or Secretary; deposit all monies in the bank and report the financial condition of the Posse to its members at each meeting. He/she shall issue no checks for any purpose without a bill first being presented to and approved by the Board of Directors of the Posse. All gifts or donations must be approved by the Board of Directors. Whenever the amount in the treasury is over \$5,000.00, the Treasurer and President must be bonded.

ARTICLE IX

QUORUM

Section 1. A majority of the members of the Board of Directors shall constitute a quorum.

Section 2. Twenty-five percent (25%) of the membership present shall constitute a quorum, shall be declared in session by the President or presiding officer, and shall carry on the business at hand as the Mesa County Sheriff's Posse. All members must be notified of the meeting in advance.

ARTICLE X

APPOINTMENT OF COMMITTEES AND PERSONNEL

Section 1. Committees to be appointed by the President and the Posse, as aforementioned, shall be:

- A. Membership Committee - Chair, First Vice President/First Lieutenant
- B. Finance Committee
- C. Publicity Committee - Chair, Third Vice President/Second Lieutenant
- D. Entertainment Committee – Chair, Second Vice President/Second Lieutenant
- E. SARC & First Aid Committee
- F. By Laws Committee

The President and Posse may, from time to time, appoint such other committees as may be deemed necessary, upon approval of the Board of Directors, but nothing in this section shall be construed to limit the powers of the President in cases of emergency to appoint special committees.

Section 2. The President, with concurrence from the Board of Directors, shall appoint the following personnel for a term of one year coinciding with the President's term of office, and these personnel shall be subject to the approval of members of the Posse at the first meeting after their appointment:

- G. A Corral Boss who shall have general supervision of the operation of the corral and grounds of the Posse.
- H. A Chaplain who shall perform duties customarily performed by a Chaplain.

I. A Sergeant-at-Arms who shall be responsible for keeping the door at all meetings, admitting only authorized persons and maintaining order at the meetings.

J. An Advocate who shall advise the President upon legal matters.

ARTICLE XI

MEETINGS OF THE POSSE

Section 1. The meetings of the Posse shall be held on the third Tuesday of each month, provided that when the third Tuesday of any month falls on a legal holiday, the monthly meeting shall be held on the following Tuesday. Board of Directors meetings shall be held one (1) hour preceding the regular monthly meeting.

Section 2. At the October meeting each year, three (3) members of the Board of Directors elected as Directors and the Immediate Past President completing their terms shall serve as a Nominating Committee to nominate candidates for all elective offices, and shall submit nominations. The Immediate Past President shall be Chair of the Nominating Committee. In addition, any member may make nominations from the floor. Nominations shall be closed at the meeting and written notice of all nominations shall be mailed or e-mailed to each regular member by the Secretary within one week of such nominations. At the November meeting, officers shall be elected from the nominations by secret written ballot. At the December meeting, the newly elected officers shall be installed by the former officers and shall take their respective offices at the January meeting.

ARTICLE XII

SQUADS

Section 1. For the purposes of serving the Sheriff, the Posse will be divided into five (5) squads of nine members and one Sergeant. The Sergeants to be appointed by the duly appointed committee only after considering availability for such work and their abilities in handling themselves and their squad members in the field. The squads shall be chosen by the Sergeants. In case one person shall be chosen by more than one Sergeant, that person may indicate his/her preference.

Section 2. The squads shall serve the Sheriff as such, substituting members among squads should the need arise. The Sergeant will, at all times, be responsible for the actions of his/her squad and shall control the membership in

that squad at all times.

Section 3. The organizations made up of Posse members shall be separate from the aforementioned squads and made up by voluntary action. Members of these organizations shall be responsible to their Governing Board and the Governing Board's actions shall be responsible to the Board of Directors of the Posse.

ARTICLE XIII

PROCEDURES

Section 1. These By Laws may be amended at any regular meeting of the Posse by a two-thirds vote of the members present, provided that written notice of any proposed amendment shall be mailed or e-mailed to each member at least fifteen (15) days prior to such meeting.

Section 2. Each member may cast only one vote and none shall be cast by proxy.

Section 3. Robert's Rules of Order shall govern the procedure of all meetings of the Posse.

Section 4. Any Standing Rules may be amended at any regular meeting of the Posse by a two-thirds vote of the members present, provided that written notice of any proposed amendment shall be mailed or e-mailed to each member at least fifteen (15) days prior to such meeting.

ARTICLE XIV

STANDING RULES OF ORDER

Rule 1. Initiation Fee will be \$100.00.

Rule 2. Application Fee and annual fees for regular members will be \$40.00 per year, with \$10.00 of said fees applied to State Posse Membership each year. Dues for Associate Members will be \$40.00 per year.

Rule 3. Junior Associate Members' annual dues will be \$10.00 per year.

Rule 4. Gold Card Members must pay \$10.00 dues to participate at State Convention.

Rule 5. Once an associate member becomes a regular member, they must pay a \$65.00 refundable deposit before receiving their badge.

Rule 6. Uniform regulations shall be as follows:

- a. Shirt: Solid white, broadcloth or gabardine, western style, white pearl snap buttons, back will be single point yoke, snap pocket, snap cuff.
- b. Pants: Must be new or nearly new western cut blue denim with no cuff.
- c. Belt: Black
- d. Boots: Solid black, either square or round toe.
- e. Hats: Black solid in color, 3 ½” brim, 4 ½ to 5 ½” crown, Cattleman’s or Rodeo crease.
- f. Shoulder Patches: To be worn on both shoulders 1 ½” from shoulder seam. Points of patch to be centered between front and rear yoke seams.
- g. Badge: To be worn on left side, centered above pocket with the bottom of badge even with the top of pocket.
- h. Rank Insignia: To be worn on each collar, ½” below top of collar, ½” from edge of collar and in line with the edge of collar.
- i. Name Plate: To be centered immediately above right shirt pocket.
- j. Ties: Regulation Posse ties are the black bow string tie or the black bandana. The President or the person in charge of the event being attended will determine which tie is worn. Collar buttoned.
- k. Chaps: Black batwing, trimmed in white with star insignia. (Optional part of uniform.)

Rule 7. Posse Activities

- a. Search & Rescue
- b. Youth activities
- c. Maintenance and promotion of Posse Arena & Grounds
- d. State Posse activities
- e. Law Enforcement & Security
- f. Work Days
- g. Posse Dinners
- h. Monthly Trail Rides
- i. Canned food drives
- j. Parades by request of parade organizers
- k. Posse horse shows
- l. Roping events
- m. Poker Rides
- n. Rodeo related activities

Rule 8. The Posse shall not buy any alcoholic beverages and there will be no drinking of alcoholic beverages by members or anyone else on the Posse grounds.

Rule 9. The annual steak fry is for members only. Each member may bring one guest. Any additional guests attending shall be charged \$10.00 per person.

Rule 10. Any resignation must be given both in person and in writing. Resignations must be accepted and approved by the board prior to any deposit monies being returned to the resigning member.

Suspension Rules

The Sheriff's Posse agrees to suspend the Rules with the exception of the \$40 (forty dollar) dues and with the addition of the standing rule #11 (eleven). Members will be allowed to assist in one of the three following categories. This will be with the understanding that they abide by the rules of the committee into which they have been voted.

- 1.) Special Associate Members may be voted only to assist in the promotion of the S.A.R.C.
- 2.) Special Associate Members may be voted only to assist in the promotion of the Rodeo Committee.
- 3.) Special Associate Members may be voted only to assist in the promotion of the Roping Committee.

Special Associate Members will be restricted to the committee they have chosen.

If any of the above Special Associate Members want to participate in the other activities of the Sheriff's Posse, they will have to comply with the regular rules set for the by the Sheriff's Posse By-Laws.

Rule 11. If at the end of a calendar year, a regular member has not made their required meetings six (6), the member may write a letter to the Board of Directors requesting a hearing to state their reasons for not making enough meetings. If the Board of Directors deems the member's reasons are acceptable, the member will remain a regular member. If the Board of Directors deem the reasons not acceptable, the member may, by written request ask to be dropped from a regular member to an associate member in order to remain a part of the Mesa County Sheriff's Posse with all the privileges of an Associate Member.