

# AMERICAN LEGION NEWPORT HARBOR POST 291 EXECUTIVE BOARD MINUTES THURSDAY, 07 NOV 2024

CALL TO ORDER: Appx. 1830 HRS INVOCATION: Service Officer, Cory Vigil PLEDGE OF ALLEGIANCE: Commander Brian Fleming Jr.

#### ROLL CALL:

- ☑ Brian Fleming Jr., Commander
   ☑ Ernest Alonso., 1<sup>st</sup> Vice
   ☑ Ray Ricard, 2<sup>nd</sup> Vice
- David Heinle, 3<sup>rd</sup> Vice
- David Heinie, 3<sup>rd</sup> vice
- Evin Planto, Jr. Past Comm
- David Zamudio, Adjutant

#### *Excused*: Barry Butzloff Unexcused: Quorum is held.

## INTRODUCTION OF GUESTS & GUEST COMMENTS:

Cindy Baker, Legionnaire Wayne Zippy, Legionnaire Ernie Gorrill, Legionnaire

## Affiliates and Programs Reports:

D Auxiliary Unit 291 – Mary Beth Martin, President

- VACANT, Judge Advocate
   Bob Wine, Finance Officer
   Mike Mailman, Sgt-at-Arms
   Cory Vigil, Service Officer
   Barry Butzloff, Chaplain
   Johnny Arganda, Historian
- Jon Reynolds, M.a.L. Walter Roberts, M.a.L.
- Mike Berdine, M.a.L.
- Mike Schubert, M.a.L.
- Nick Giordano, M.a.L.
- David Zamudio, M.a.L.



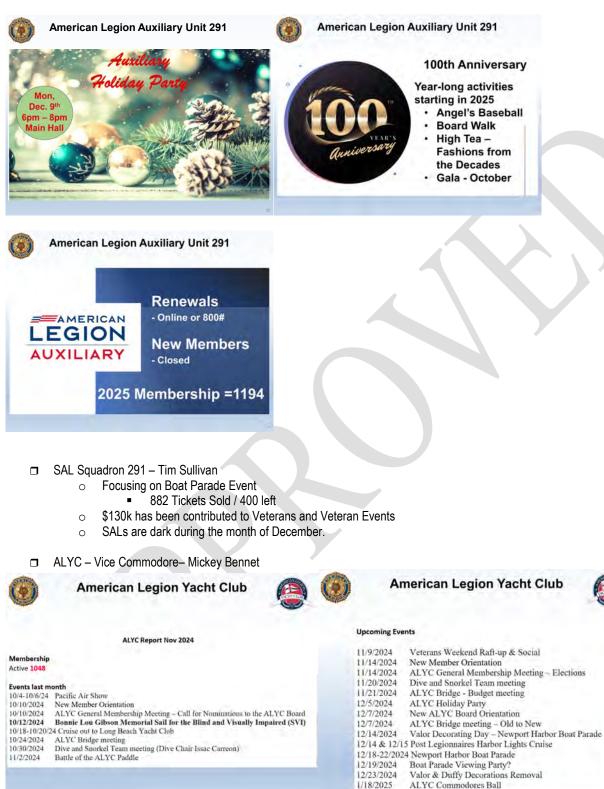
# Auxiliary Unit 291continued on next page.

## Auxiliary Unit 291 (cont.)



## Auxiliary Unit 291continued on next page.

#### Auxiliary Unit 291 (cont.)



Honor Guard - Vice Commander , Mike Mailman 



#### Minutes Approval (Regular and Special Meeting)

- Executive Committee Minutes: 03 October 2024
  - Copies given to all officers 0
  - Motion presented, Mike Berdine to approve the 03 October 2024 Minutes 0
  - Seconded by Mike Mailman 0
  - M/S/No D/MC- Motion carries unanimously. 0
- Executive Committee Special Meeting Minutes: 21 October 2024
  - Copies given to all officers 0
  - Motion presented, Mike Berdine to approve the 21 October 2024 Special Meeting Minutes 0
  - Seconded by Mike Mailman 0
  - M/S/No D/MC- Motion carries unanimously. 0

#### Correspondence

D Adjutant David Zamudio – No Report

#### **Committee Reports**

House Committee- David Zamudio (Chair)

0 Review of House Committee completed items and pending items to resolve.



#### **Completed Items**

- · Ontario Refrigeration -smart phone application.
- Marina Electrical Box Secured
- · Noise Decibel Meters
- · Termite Tenting of Sheds.
- · Shed by ALYC Hut dismantled.
- Marina vinyl gate to Entrance complete.
- · Increased Dry Dock Storage by 6 Trailers.
- Shed Replaced and interior painted.
- · Cintas First Aid and AED delivered and installed.



Motions to be presented

- · Electrical Engineer for Marina
- · Post Roof Repair

#### Pending Items

- Road Bumps at spike strip Brian Fleming Jr.
- Brick work at the post
   Kevin Van Otterloo- S
  - Replacement Fans (3) Main Hall. Electrician working on this items
  - HVAC Breakers
- Replacement needed to correct type of breaker.

- Roof Repair over west side of building.
   Follow up by Ernie Goril
   Entry Doors, main hall, next to Kitchen.
   Mike Berdine, obtaining bids.
   Discussion concerning Credit Card Fees a David Zamud

- **G** Finance Committee- Bob Wine
  - o Committee met and reviewed the 2025 proposed budget.
    - Further discussion during officer reports.
- Donations Committee- Cory Vigil (Chair)
  - Veteran Day Memorial has reached the \$20k mark..
  - o Looking to enhance the stories of the veterans on the Post website.
  - o Currently researching grants and how to obtain funding.
- Negotiations Committee- Bob Wine (Chair)
  - $\circ$  Addendum was signed and sent to the city of Newport Beach.
  - Will take effect on 01 December 2024.
  - o Item was placed on next city council meeting agenda.

#### **OFFICERS' REPORTS**

#### COMMANDER- Brian Fleming Jr.

- Spoke about upcoming Marine Corps Ball at the post.
- o Discussion and information on WWII / Korea Luncheon at the post.
- Discussion and update on Veterans Day event.

#### ADJUTANT – David Zamudio

No Report

#### 1ST VICE COMMANDER - Ernest Alonso. - Membership

- o 4284 Active Members
- o 2562 Members paid for 2025
- Currently 1722 renewals pending.
- 54 legionnaires have deceased.

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

- Discussion of upcoming events.
- o Looking at creating a summer Joint Service Mess Night or Ball.
  - Will follow up with more information.
- Halloween Bal was a great success.

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

- Boys / Girls State interview will be conducted in Jan/ Feb.
- Discussion on Christmas tree sales.(Trees for Troops)

2	3 <sup>rd</sup> Vice Commander
	Trees for Troops
	I I I I I I I I I I I I I I I I I I I
	In Partnership with Sec Ex delivering the Spirit of Christmas
	In magine a smilling U.S. Military family at Camp Pendleton receiving a
	Christmas tree grown on an American tree farm and being able to share joyous memories through the gift of a real Christmas Tree
	You can make this vision a reality!
	With purchase of every beautiful
	tree, a donation will be made to
	tree, a donation will be made to American Legion Baseball
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## JR. PAST COMMANDER - Evin Planto

Requested clarification for cease and desist letter.

# FINANCE OFFICER – Bob Wine

D Presented Executive Summary of Post 291 Financials



# Finance Officer - Executive Summary

			UTIVE SUMMARY					
			IRU 09/30/2024					
	2024		2023				2024	%
	9/30/2024		9/30/2023		S	%	ANNUAL	OF ANNUAL
	TTD		TTD		CHG	CHG	BUDGET	BUDGET
MEMBERSHIP								
NCOME	677.851		545,747		132.104	24.2%	925,710	73%
OTHER INCOME	6,243		4,688		1.555	33.2%	5,600	111%
TOTAL INCOME	684,094		550,435		133,659	24.3%	931,310	73%
EXPENSES	784,894		739,157		45,736	6.2%	949,400	83%
NET INCOME	100,800		-188,723		87,922	-46.6%	-18,090	557%
OPERATING								
NCOME								
BAR SALES	651,727		530,510		121,217	22.8%	685,000	95%
BANQUET SALES	461,955		439,252		22,703	5.2%	653,200	71%
RESTAURANT SALES	1,414,136		1.208.660		205,476	17.0%	1,565,600	90%
TOTAL FOODSERVICE	2,527,819		2.178.422		349,395	16.0%	2,903,800	87%
OTHER INCOME	373,300		338,499		34,801	10.3%	568,500	66%
GROSS INCOME	2,901,119		2,516,921		384,197	15.3%	3,472,300	84%
cogs	2,035,174		1,875,639		159,535	8.5%	2,439,850	83%
GROSS PROFIT	865,945		641,282		224,662	35.0%	1,032,450	84%
OTHER EXPENSES TOTAL EXPENSE	961,089		897,765		63,324	7.1%	1,218,700	79%
IOTAL EXPENSE	2,996,263		2,773,404		222,859	8.0%	3,658,550	82%
NET ORDINARY INCOME	-95,144		-256,483		161.339	-62.9%	-186.250	51%
OTHER INCOME	68,165		45.513		22.652	49.6%	65,000	105%
FACILITY FEE	227,533		269,945		-42,413	-15.7%	470,000	48%
OTHER EXPENSE					0	0.0%		
NET INCOME	200,554		58,975		141,579	240.1%	348,750	58%
SUMMARY	2024		2023			-		
	NET INCOME	BANK CASH	NET INCOME	BANK CASH		CASH		
MEMBERSHIP	-100,800	137,085	-188,723	221,709		-84,624		
OPERATING	200,554	243,516	58,975	211,982		31,534		
RESERVE ACCT		1,331,121		1,256,700		74,420		
TOTAL AL 291	99,753	1,711,722	-129,748	1,690,392		21,331		

# **Finance Officer- Cash Flow Projection**

Newport Harbor Post 291 Cash Flow Projection for the Period 11/05/2024 - 1/31/25

	_	11/05 -11/30		12/1 -12/31	(	01/01 -01/31	Totals
Cash: Beginning*	5	1,465,511.10	\$	1,385,252.27	5	1,347,023.01	\$ 1,465,511.10
Add: Cash Inflows			1				
Membership Fees		20,000.00		50,000.00		50,000.00	120,000.00
Marina Rents		27,534.33		27,000.00		27,000.00	81,534.33
Restaurant Sales - Nov \$7500/ 7k Dec/6k Jan		195,000.00		217,000.00		186,000.00	598,000.00
Hall Rentals		5,435.00		9,700.00		1,150.00	16,285.00
Banquet Food		34,213.00		37,695.00		13,710.00	85,618.00
Facility Fees			-			110,000.00	110,000.00
Total Cash Inflows	1	282,182.33		341,395.00		387,860.00	1,011,437.33
Deduct: Cash Outflows	1.1						
Food & Beverage Cost @ 40%		91,685.20		101,878.00		79,884.00	273,447.20
Entertainment		7,600.00		10,000.00		7,600.00	25,200.00
Payroll**		120,000.00		140,000.00		120,000.00	380,000.00
Health Insurance		6,500.00		6,500.00		6,500.00	19,500.00
Liability Insurance							
Marina Insurance		3,715.00		3,715.00		3,715.00	11,145.00
D&O Insurance							
JB Cleaning Co.		26,000.00		32,000.00		26,000.00	84,000.00
Repairs & Maintenance		35,000.00		10,000.00		5,000.00	50,000.00
Telephone		315.00		315.00		315.00	945.00
Utilities				9,000.00		9,000.00	18,000.00
Rent				18,000.00		18,000.00	36,000.00
Credit Card		3,500.00		3,500.00		3,500.00	10,500.00
Credit Card Fees		5,325.96		5,916.26		4,550.28	15,792.50
Misc		1,400.00		1,400.00		1,400.00	4,200.00
Mileage		1,400.00		1,400.00		1,400.00	4,200.00
Capital Outlays		60,000.00		25,000.00		-	85,000.00
Property Tax				11,000.00			11,000.00
Total Cash Outflows	1	362,441.16		379,624.26		286,864.28	1,028,929.70
Cash: Ending	5	1,385,252.27	s	1,347,023.01	s	1,448,018.73	1,433,018.73
Monthly Increase /Decrease	\$	(80,258.83)	s	(38,229.26)	5	100,995.72	(17,492.37)
* Doesn't include VEAF fund							
** Includes P&R taxes & WC							

## **OFFICERS' REPORTS (cont.)**

#### HISTORIAN – Johnny Arganda

- Discussion on 13 year old wishing to meet with WWII veterans.
- March Madness foot march for Suicide Awareness
  - Currently working with vendors and seeking donations.
  - Will be attending the Marine Corps Ball and will be video taping it.

#### SERGEANT AT ARMS – Mike Mailman

- Discussion on Officer on Duty responsibilities and assisting the door monitors.
- Discussion of Thanksgiving Event.

#### CHAPLAIN – Barry Butzloff

No Report (Excused Absence) 

#### SERVICE OFFICER – Cory Vigil



#### Service Officer- Donations Committee

#### AL291 E-Committee Minutes

Thursday, November 7th, 2024

Purpose Statement: The Service Officer will approve grants and financial aid to veterans & military families

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

#### Veterans Served in September 2024: VEAF

- ARMY requested assistance with utility bill for \$302.26 ARMY requested assistance with cellular phone reinstatement for \$390.00.
- 3
- ARMY requested assistance with baby items and food for \$341,34. ARMY requested a battery from my Triple AAA for \$278.58.
- 4. ARMY requested assistance with an antress, hygiene, clothing and food for \$306.31. ARMY requested assistance with cellular phone reinstatement for \$408.59. ARMY requested assistance with deposit of \$500.00. USMC requested assistance with MDMV registration for \$313.00.
- 6.
- 8

\$2,840.08



Service Officer- Donations Comm (cont.)

#### Service Officer Account-

\$2500.00 Veterans Legal Institute - Lawyers for Warriors \$1000.00 Battalion 22 \$500.00 Marine Corps League October 12th Fundraiser \$391.13 Coffee Talk Burritos \$1000.00 Noble Viking Charities Veteran Food Box Program \$210.00 Cadet Fundraiser Mission Viejo \$1000.00 SoCal Grantmakers Battle Boutique \$900.00 Halloween Party (Veterans) \$500.00 Project Hero Event Food & Drink \$500.00 Gas \$500.00 Grocery \$500.00 Power of One's 5th Annual Trunk or Treat

\$9,001.13



# Service Officer June Report

Monthly Update for Service	e Officer		for the Nov 7, 3	2024 E-Board
			2024 Actual	% of 2024 Budget thru Dec
6510 Donations	2023 Actuals	2024 Budget	thru Oct 31	31
6519 Honor Guard	7,478.36	2,500.00	1,701.47	68%
6521 Unrestricted Service Officer				
Expense	114,718.13	78,000.00	46,857.93	60%
6523- SO Discretionary		2,000.00	10,656.18	533%
6522 Restricted VEAF expense	129,645.07	65,000.00	87,409.85	134%
6515 Oratorical			-	0%
6510 Donations other	60,978.76	50,000.00	13,750.00	28%
Total 6510 expenses	312,820.32	197,500.00	160,375.43	81%
4520 VEAF current balance			53,569.09	
Oct Donations Out			8530.93	
Oct VEAF Donations Out			3840.08	

#### OFFICERS' REPORTS (cont.)

#### JUDGE ADVOCATE- VACANT

No Report

#### MEMBERS AT LARGE

- Jon Reynolds- No Report
- □ Walter Roberts- No Report
- □ Mike Berdine- No Report
- Mike Schubert- No Report
- Nick Giordano- No Report
- David Zamudio- No Report

#### UNFINISHED BUSINESS (cont.)

- □ Finance Office, Bob Wine
  - Discussion on Restricted Fund of Mr. Stanley
    - \$100k Post Match
    - Concerned there is no documentation memorializing it.
    - Recommend that the Executive Committee not move forward with this as it stands.
    - Finance Officer advises that the Committee instead match the interest that would be produced from the \$100K.
    - Also advised that the matching should be limited to 5 years.
    - Finance Officer will speak with Mr. Stanley to get his opinion on this approach.
    - Will follow up at Dec Executive Meeting.

#### NEW BUSINESS

۷	New Business Dock Electrical Rehabilitation						
	Marina Electrical						
	August 2024 – Started getting reports of high rate of sinc replacements on several boats. Also started getting reports of onsalem tripping and govern outages. Asked Boyar for electrical atsistance and they recommended George Gregory, George is now our preferred vendor for marking electricities issues						
	September 2024- Before George could come down, we had several more complaints about breakers tripping and zincs being eater up.						
	He made several visits replacing several breakers and receptactes. Several of the breakers that were installed incorrectly. Someone had removed the GFCI breakers and installed regular muse type breakers.						
	Urgency level elevated when burned wires were found in distribution panel and wire runs out and wire nutted together under the deck boards.						
	September 30 <sup>th</sup> Engineering firm requested to provide proposal for complete review and new specifications to update system to current code.						
	October 2 <sup>rd</sup> , 2024, CDI provided proposal for \$3500, \$1700 up front and builance upon delivery of drawings.						
	Contacted Thinn Engineering, recommended by Swift Construction, koseph returned my call but out of state on another project and would not be available until mid-Nevember.						
	Unable to obtain additional interested parties yet.						
	Request authorization to news forward now due to the suitely neise of our current system.						
	Respectfully submittee,						
	Tommy Wheeler						
	Merina Manager						
	Dock Master						

- D MOTION presented Adjutant, David Zamudio
  - I move that we accept the recommendation of the House Committee for the marina dock electrical rehabilitation not to exceed \$4000.00.
  - o SECONDED by Sgt. At Arms, Mike Mailman
  - Discussion- clarification on the work to be done.
  - MOVE TO VOTE:
    - Aye 14
    - Nay- 0
    - Abstentions- 0
  - M/S/D/ MC: Motion Carries Unanimously

#### NEW BUSINESS (cont.)



## New Business (cont.) West Side Kitchen Roof

All bidders were given a list of "minimum" requirements for the project, they were encouraged to point out additional work that may be required or as an improvement. I submit these bids and my recommendations for your review and comments.

- JOURNEY BUILDERS AND ROOFING SPECIALISTS: \$23,767.00
   I am suggesting Journey builder, they are backed by Owners Corning and
   guarantee the roof for 50 years (other bidders are 30 years) and the first
   15% of any roof sheeting replacement or damaged wood, will be
   replaced within the bid price. I expect damage under this very old roof.
- 2. Under Cover Roofing: \$21,350.00. I have used this roofing company on two of my personal projects, they are dependable with a high level of quality, and they are local. They listed their additional pricing for wood repair, and it is my "guess", that the repair work would exceed the bid by Journey Builders and roofers.
- Morvic Construction, Inc.: \$19,377.00. I don't believe Morvic Construction's primary business is roofing, and some of their current work on our restroom building is not of the highest quality.
   Lifetime Roofing walked the job and declined to submit a bid.

#### Ernie Gorrill

House Committee, Member in good standing.

- D MOTION- Member at Large, Mike Berdine
  - I move the Executive Committee accept the House Committees recommendation of replacing the west side kitchen roof not to exceed \$25,000.00.
  - o SECONDED: Jr. Past Cmdr., Evin Planto
  - o DISCUSSION: Presentation of the bids and the need to repair the entire roof.
    - Will speak with contractor for bid for entire roof.
  - MOVE TO VOTE:
    - Ayes- 14
    - Nays- 0
    - Abstentions- 0
  - M/S/D/MC- Motion Carries Unanimously



#### New Business (cont.)

#### Approval of Post 291 Committee Appointments

House Committee Chair Replacement
 Replace: David Zamudio with Mike Berdine

- House Committee Member Replacement
  - Replace: Kevin Van Otterloo with Ernie Gorrill

#### a New House Committee

- Chair: Mike Berdine
- Members: Bob Wine, Tommy Wheeler, Nick Giordano, Ernie Gorrill, David Zamudio
- D Motion presented Member at Large, Jon Reynolds
  - I move that the Executive Committee adopt the recommendations presented to add Mike Berdine as the House Committee Chair and add Ernie Gorrill as a committee member.
  - Seconded: 2<sup>nd</sup> Vice Commander, Ray Ricard
  - No Discussion
  - MOVE TO VOTE:
    - Ayes- 13
    - Nays- 0
    - Abstentions- 1 (Evin Planto)
    - M/S/D/MC- Motion Carries

#### NEW BUSINESS (cont.)



New Business (cont.) Judge Advocate Vacancy

Approval of Appointment for Judge Advocate

Member in Good Standing - Cindy Baker

- □ Motion presented Member at Large, Mike Berdine
  - o "I move that the Executive Committee adopt the recommendations and adopt Cindy Baker as the Judge Advocate."
  - Seconded: 2<sup>nd</sup> Vice Commander, Ray Ricard
  - No Discussion
  - MOVE TO VOTE:
    - Ayes- 13
      - Nays- 1 (Evin Planto)
      - Abstentions- 0
      - M/S/D/MC- Motion Carries
- Presentation by Member at Large, Mike Berdine concerning the entry doors to the hall next to kitchen and placement.
- D Motion presented Member at Large, Mike Berdine
  - I move that the Executive Committee adopt the recommendation of the House Committee to replace the entry doors next to kitchen not to exceed \$7500.00.
  - Seconded: Member at Large, Nick Giordano
  - No Discussion
  - MOVE TO VOTE:
    - Ayes- 13
      - Nays- 0
      - Abstentions- 0
      - M/S/D/MC- Motion Carries Unanimously

#### GOOD OF THE LEGION

- Member at Large, Mike Schubert
  - o Follow up on WWII / Korea Luncheon
    - Great turnout
  - Reminded Officers to try to make effort to attend these events to show support to Veterans.
- □ 1<sup>st</sup> Vice Commander, Ernest Alonso
  - Sat \*11/09/24- OC Fairgrounds
  - Wil have booth from membership sign ups (12-3pm)
  - Next Coffee Talk, Dec 7<sup>th</sup>.
- □ Jr. Past Commander, Evin Planto
  - o Discussion of Medicare initiative and veterans can obtain reimbursement.
  - Will bring up in General Membership Meeting.
- □ Finance Officer, Bob Wine
  - o Employee Christmas Party
    - Officers need to assist in serving employees.
    - More information coming in email.
- □ 2<sup>nd</sup> Vice Commander, Ray Ricard
  - o Handed out challenge coins to officers.
  - Read coin inscription of "What it Vet."

#### MEETING BREAK GIVEN BY COMMANDER (2009 hrs.)- 10 minutes MEETING READJOURED AT 2019 hrs.

- D Motion presented Member at Large (Adjutant), David Zamudio
  - I move that the Executive Committee allow Cindy Baker (Member in Good Standing) to sit and observe the following closed session."
  - o Seconded: Sgt. At Arms, Mike Mailman
  - No Discussion
    - MOVE TO VOTE:
      - Ayes- 14
        - Nays- 0
        - Abstentions- 0
        - M/S/D/MC- Motion Carries Unanimously

#### CLOSED SESSION (2022 hrs.)

0

- □ Lead by Commander Brian Fleming Jr.
  - o Discussion concerning information and allegations from non-post member.
  - Discussions concerning rumors.
  - Discussion that allegations are vague with no specifics.

#### CLOSED SESSION (2059 hrs.)

Meeting back in open forum.

**CLOSING PRAYER- Service Officer, Cory Vigil** 

#### ADJOURNED: Approximately 2109 hours.

## EMAIL VOTE TO RATIFY JUDICIAL COMMITTEE (17 November 2024) Motion Carries

Brian Fleming Jr <postcommander@al291.com> Re: Email Vote to Ratify Judicial Committee Appointment - Robert (Bob) Rogers To Brian Fleming Jr

Good afternoon all,

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

11 - Yays	
0 - Nays	
2 - No Votes	
Motion passes.	
1st Vice Cmdr Alonso 2ndVice Cmdr Ricard 3rd Vice Cmdr Heinle Jr, Past Cmdr Finance Officer Wine Historian Arganda Chaplain Butzloff Sgt-at-Arms Mailman M.a.L Berdine M.a.L Giordano M.a.L Reynolds M.a.L Roberts M.a.L Schubert M.a.L Zamudio	No Response YAY YAY Position Vacated YAY Na Response YAY YAY YAY YAY YAY YAY YAY YAY YAY YAY
Non Voting Commander Fleming Jr Service Officer Vigil Judge Advocate Baker	<ul> <li>Supportive of the motion</li> <li>Supportive of the motion</li> <li>Supportive of the motion</li> </ul>
Regards,	

Brian Fleming Jr Veteran / USMC Post Commander American Legion Post 291 C: 951-757-6400