



# USS Barney (DDG 6)

By Laws of the

## USS Barney DDG-6 Save Our Ship Foundation

Throughout the remainder of this document, the USS Barney DDG-6 Save Our Ship Foundation may be referred to simply as the “Foundation”.

**Purpose:** The purpose of the USS Barney DDG-6 Save Our Ship Foundation, is threefold.

- 1). Our primary objective is to get the ex-USS Barney DDG-6 placed on donation hold by the U.S. Navy, so that we can raise the money necessary to restore and outfit the ship such that she can be displayed as a permanent static display at a Naval Historical Museum somewhere in the Continental United States.
- 2). If the Foundation is unsuccessful in meeting our primary goal above, then our secondary goal becomes one of directing our efforts and finances toward any other Adams Class DDG group that has a reasonable chance of getting an Adams Class DDG set up as a permanent static museum display piece. In compliance with financial guidelines which will be outlined below, the Foundation membership will be asked to vote before any monetary commitment to another Adams Class DDG group is made.
- 3). If no Adams Class DDG's are restored for museum display, then the funds of our Foundation will be employed to set up a USS Barney DDG-6 permanent memorial display on an existing US Naval Ship Museum site. The funds will be used to establish the memorial and to pay for its maintenance and upkeep into perpetuity. The site selected shall be approved by majority vote of the Foundation membership.

The USS Barney DDG-6 Save Our Ship Foundation will cease to exist as an operating entity, once any of the above three goals are completed. Foundation money may be applied to expenses incurred in the pursuit of the above foundation objectives, such as annual membership dues in the Historic Naval Ships Association, etc..

## **Article 1 - Officers**

The officers of the USS Barney Saved Our Ship Foundation shall be as follows:

President - Keith Green

Vice President - Phil Resch

Secretary/Treasurer - John Van Dusen

The above named officers will serve for a period of not less than one year and a period of not more than three years. Election dates, and future officer positions will be handled by majority rule through communication with our members via the Internet.

### **Removal**

Any officer of the Foundation can removed from his position, for cause, by majority vote of the members. In this and all further instances majority vote is used to mean that regardless of the number of votes received, the majority of those members who vote will constitute a majority decision. Any officer of the foundation may resign his position by giving 30 days written notice to the other Foundation officers.

### **Duties**

The **President** of the Foundation shall represent Foundation members as the guiding force directing Foundation activities. The President will be empowered to commit the financial resources of the Foundation for any amount up to and including \$1,000.00 on his own initiative. All expenditures must be consistent with advancing the Foundation toward completion of our goals as stated on page one. Any financial expenditure by the Foundation in excess of \$1,000.00 must be presented to the members, and a vote on the matter collected at that time. The majority vote shall be counted and finalized 10 days after putting the matter before the membership. The President shall not commit the Foundation to any legal or binding contract, written or verbal, without prior written permission from the membership.

The **Vice President** of Foundation shall act instead of the President in any functions in which the president cannot perform. The Vice President shall act as a signatory on the Foundation checking account, and will function as a voting member of the Board of Directors. In the case of the replacement or resignation of the President, the Vice President shall be given first opportunity to step in to the President's position. If the Vice President refuses to take on the responsibilities of President, then the Secretary-Treasurer will be offered the position of President. If the Secretary-Treasurer of the Foundation refuses to assume the responsibilities of President, then a replacement President will be solicited from and voted upon by the members of the Foundation.

The **Secretary-Treasurer** will be tasked with in the collection of dues and donations from within and outside the Foundation. He shall maintain sufficiently detailed records to satisfy the demands of a normal prudent person. The Secretary-Treasurer shall provide an audit of the books to the members of the Foundation on an annual basis, beginning in calendar year 2003. Such financial audit to include the source of funds raised by the Foundation, and all expenditures of funds made by the Foundation during the previous calendar year. The first financial report will be submitted to the members of the Foundation between December 15, 2003 and January 15, 2004. The Secretary-Treasurer will act as record keeper for all meetings of the Foundation officers.

### **Compensation**

All Officers of the Foundation operate on a voluntary basis, and shall receive no salary or other monetary compensation for their efforts on behalf of the Foundation. Officers may be reimbursed for personal funds spent on behalf of the Foundation in pursuit of Foundation goals. Receipts are required for any reimbursements, and such disbursements will be included in the end of the year audit which is disclosed to all Foundation members.

Since Foundation Officers are not compensated for their efforts on behalf of the Foundation, they shall also not be held liable for their efforts on behalf of the Foundation. Officers may be removed from office for cause, but cannot be personally sued or in any way held liable for actions taken on behalf of the Foundation in pursuit of Foundation goals.

### **Article 2 - Offices**

Since members of the USS Barney Saved Our Ship Foundation live in virtually every state within the Continental United States, the Foundation neither requires nor will it maintain a physical office. For the purposes of physical mail, the two addresses listed below will serve to meet the requirements of the foundation.

618 Blue Ridge Street  
McKinney, Texas 75070

~ or ~

1007 Cambridge Drive  
Carrollton, Texas 75007

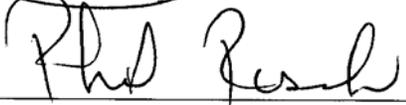
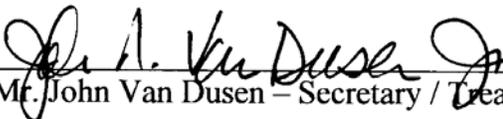
### Article 3 - Membership

All Active members of the USS Barney DDG-6 Association will automatically become members of the USS Barney DDG-6 Save Our Ship Foundation. Qualification for membership in the USS Barney Association is twofold. The applicant must have served aboard the USS Barney DDG-6 on active duty between August 1962 and December of 1990. From a practical standpoint, membership in the USS Barney Association is limited to those sailors who served six months or more continuous active duty on the USS Barney DDG-6. The second requirement to belong to the USS Barney DDG-6 Association is that the applicant must be an active member of the USS Barney Association. They must be current with all dues required by the Association, or be on active duty in any branch of the US military, or have had their dues waived by the Association for hardship or other recognized reason.

Most of the business of the Foundation will be conducted via the internet, with meetings being required as needed, usually on a quarterly or semiannual basis. Specific meeting dates will not be necessary, the officers of the Foundation will determine by majority vote when and where a meeting needs to take place. The presence at any board meeting of two or more officers of the Foundation shall constitute a majority.

Each member of the USS Barney DDG-6 Save Our Ship Foundation is entitled to vote on major decisions of the Foundation. When a significant decision needs to be made, an e-mail will be sent to all Foundation members detailing the issue under consideration, recommended courses of action, and concluding with a request that members reply via e-mail their desired course of action. Unless a time deadline is stated in the notifying e-mail, 10 days after the request is sent out all responses will be tallied and the officers of the Foundation will act in accordance with the majority vote. There will be no minimum number of votes required.

Accepted:

 _____ Mr. Keith Green – President	<u>12/11/03</u> Date
 _____ Mr. Phil Resch – Vice President	<u>12/11/03</u> Date
 _____ Mr. John Van Dusen – Secretary / Treasurer	<u>12/11/03</u> Date