

Monongalia County Democratic Executive Committee Bylaws

Article I – Name

This organization shall be known as the Monongalia County Democratic Executive Committee (MCDEC).

Article II – Membership

Section 1. Membership:

The members of this committee shall be elected in accordance with the provisions of the West Virginia Code, Chapter 3, Article 1, Section 9. All such members shall reside in the district from which they are chosen.

By the end of July each year, a current list of all executive committee members must be filed with the Secretary of State.

In addition to the elected positions, the committee includes ex-officio members who represent the Federation of Democratic Women, Young Democrats Clubs and College Democrat Clubs in the county. These members have the right to vote on all issues that are not covered by West Virginia state code.

Section 2. Terms of Office:

Members of the MCDEC shall take and hold office pursuant to any and all statutes of the State of West Virginia governing the same.

Section 3. Filling of Vacancies:

In compliance with WV State Code §3-1-9 (f), the Mon County Democratic Executive Committee shall fill vacancies in the executive committee of the county for the remainder of the unexpired term.

The Chair of the Mon County Democratic Executive Committee may suggest nominees to fill any vacancies in the committee after providing prior notice of the election for the vacancy. Approval of a simple majority of members present and voting is required for the appointment to be confirmed. During the meeting, members are also permitted to submit recommendations for candidates to fill a vacancy. However, no vacancies shall be filled between the primary date and the organizational meeting date.

Section 4. Voting:

If any member of the Committee is unable to attend a scheduled meeting, either in person or electronically with the approval of the chair, they may appoint a Democratic elector who resides in Monongalia County as their proxy to represent them. The appointed proxy must be specified on the official proxy form in writing or electronically and any limitations to the scope of the proxy should also be included. Official proxy forms must be received by the Secretary prior to the meeting.

It is important to note that secret ballots are strictly prohibited in all proceedings of the MCDEC, in compliance with the Bylaws of the WV Democratic party.

Section 5. Committee Vacancies:

A position becomes vacant when the member notifies the Chair that they resign, when the member moves out of the district, if the member is not a member of the Democratic party, or if the member misses two Committee meetings with unexcused absences in a calendar year.

Article III - Committee Officers

Section 1. Officers:

The Committee shall have the following officers: Chair, Vice-Chair, Second Vice-Chair, Secretary, Treasurer, Parliamentarian.

Section 2. Qualification of Officers:

All Democrats who are residents of Mon County are eligible to hold any office, regardless of whether they are members of the committee. The positions of Chair and Vice-Chair shall be filled by individuals of different genders.

Section 3. Terms of Office:

Officers shall be elected by the members of the County Executive Committee at its organizational meeting to terms of four years and until the election of their successors.

Section 4. Duties of the Officers:

1. Chair

The Chairperson of the MCDEC shall preside over all meetings of the committee, including appointing members to any special or standing committees, except for the Executive Committee. The Chair does not have a vote, except the chair shall vote in the case of a tie. They shall also declare the vote on all questions before the committee, decide on matters of order and procedure, call special meetings, execute the decisions made by the County Committee, and perform all duties required by law. Additionally, at their discretion, the Chairperson may appoint a Sergeant-at-Arms to maintain order and decorum during meetings.

2. Vice and Second Chair

The Vice Chair shall: assist the chair in the performance of their duties; in the absence of the chair, preside at meetings of the county committee; and in the event of a vacancy in the office of chair, the vice-chair shall serve as chair pro-tem until a chair is elected to serve the rest of the term.

The Second Vice chair shall assist the Vice Chair in the performance of duties.

3. Secretary

The secretary shall: keep full and correct minutes of the proceedings of the MCDEC; keep a complete roster of all members of the MCDEC and their attendance at meetings; and prepare and distribute notices of all meetings of the MCDEC in accordance with the directions contained in these By-Laws in Article V. Meetings, Section 6. Notice of Meetings.

4. Treasurer

The Treasurer shall: deposit all funds of the county committee in such bank as the MCDEC may designate, subject to the joint order of themselves and of the county chair; keep full and complete accounts of all monies or in kind donations received and disbursed by them; prepare and file such financial statements as may be required of the MCDEC by law; render a detailed Treasurer's report at each regular meeting of the MCDEC.

5. Parliamentarian

The Parliamentarian shall advise on matters of parliamentary procedure.

Section 5. Additional Duties:

In addition to the above enumerated duties, each officer shall perform such other functions as may be required of them by: The Charter & The Bylaws of the Democratic Party of the United States; West Virginia Code; and/or the Bylaws of the Democratic Party of West Virginia.

Article IV – COMMITTEES

Section 1. Standing Committees:

There shall be the following standing committees:

a) Rules and Bylaws

b) Finance: Budget and Audits

The Finance committee shall annually prepare a proposed budget for review by the Committee on or before January.

c) Community Engagement

d) Communications

e) Legislative Affairs

f) Candidate Development and Support

Section 2. Special Committees:

The MCDEC has the authority to establish special committees for the purpose of completing specific tasks. These committees may consist of any subset of Democrats who reside in Mon County and are

selected through a method that is either specified in the motion creating the committee or named in §50:13 RONR. Once the assigned task of a special committee is completed, the committee will be dissolved immediately after reporting the completion to a meeting of the MCDEC.

Article V - Meetings

Section 1. Organizational Meeting:

- a. The organizational meeting may be conducted prior to July 1, but must occur after the certification of the election of the new executive committees. If the organizational meeting is conducted prior to July 1, the new committee shall serve out the remainder of the outgoing committee's term and is authorized to conduct official business.
- b. As soon as possible after the certification of the election of the new executive committee, the newly elected executive committee shall convene an organizational meeting, on the call of the chair of the corresponding outgoing executive committee or by any member of the new executive committee in the event there is no corresponding chair of the outgoing executive committee. During the first meeting the new executive committee shall select a chair, a treasurer and a secretary and other officers as they may desire.
- c. If in the election of a Chair or any other officer of the County Executive Committee there is a tie vote and it cannot be settled by the members of the Committee themselves within five (5) days from the date fixed for their first meeting, then in that event the deciding vote shall be cast by the Chair of the State Executive Committee, or by someone appointed by him or her for that specific purpose. Such deciding vote may be cast by mail and shall be final. If such a vote is cast by mail, it shall be registered and sent to the outgoing Chair or Vice Chair if there is no outgoing Chair of any such Committee.

Section 2. Other Regular Meetings:

In compliance with WVDP Bylaws, the MCDEC shall meet at least one (1) time during each quarter of the calendar year at the call of the Chair. Notice of such meetings shall be posted on the MCDEC website normally 30 days in advance and given to the State Chair.

Section 3. Special and Emergency Meetings:

Special and emergency meetings may be held at any time upon the call of the chair or upon the written request of more than thirty-three percent (33%) of the duly elected or appointed committee members. Notice shall be as reasonable as possible.

Section 4. Quorum:

Forty percent (40%) of all voting members of the Committee shall constitute a quorum. For the organizational meeting, a quorum will consist of 40% of the newly elected committee. After a quorum is present, a majority of those members present, either in person or by proxy, shall be necessary to pass any motion or resolution or transact any business of the Committee.

Section 5. Voting:

Every elected or appointed member of the MCDEC shall have the right to vote on any issue considered at any regular meeting of the MCDEC. A member shall disclose any conflict of interest. The Chair may require the member to recuse themselves.

Section 6. Notice of Meetings:

The time and place for all public meetings of the MCDEC on all levels shall be publicized at least fourteen (14) calendar days preceding the meeting, except where nominations or elections for Party office and positions and amending the bylaws, in which case thirty (30) days' notice will be provided. Such meetings must be held in places accessible to all Party members. Notice of meetings shall be sent by email or regular mail. Notices should also be posted on social media and our website.

Section 7. Openness:

Any meeting of any political party executive committee shall be held only after public notice and notice to each member is given according to party rules and shall be open to all members affiliated with the party. Meetings shall be conducted according to party rule and minutes shall be maintained and shall be open to inspection by members affiliated with the party. ¹ All meetings of the Executive Committee and other official Party committees shall be open to the public. Committees, however, by majority vote of the members present and voting of may go into Executive (Members only) Session to discuss legal, personnel, discipline, and strategy or other confidential matters. All Committee votes must be held in public session.²

Section 8. Agenda:

A draft agenda will be included in the notice for each meeting of the MCDEC. This draft agenda will include motions or topics requested by any member of the MCDEC and will adhere to the following form:

1. Call to order
2. Roll Call
3. Minutes
4. Treasury Report
5. Officer Reports
6. Committee Reports and Special Orders
7. Unfinished Business
8. New Business
9. Information for the Good of the Order
10. Adjournment

¹ *West Virginia State Code §3-1-9(h)*

² *West Virginia Democratic Party Bylaws*

Article VI - AMENDMENTS TO BYLAWS

Section 1. Submission of Amendments:

Any proposed amendment to these Bylaws shall be in writing and shall be submitted to the Chair and Secretary.

Section 2. Referral to Rules and Bylaws Committee:

The Secretary, upon receipt of such proposed amendment, shall submit it to the Committee on Rules for study and recommendation to the county committee.

The Rules and Bylaws Committee will review the proposed amendment at its next scheduled meeting. If no meeting is scheduled within 21 days of receipt of the proposed amendment, the Rules and Bylaws Committee will call a meeting to be held between 14 and 21 days after notice of the proposed amendment is received.

The Rules and Bylaws Committee will then report its recommendation on approval of the proposed amendment at the next MCDEC meeting. If the committee recommends approval, the proposed amendment will be noticed in accordance with Article V Section 6. If the Rules and Bylaws Committee rejects the proposal, the proposal dies.

However, if the Rules and Bylaws Committee is unable to agree on a recommendation for a proposed amendment to the Bylaws, the proposed amendment will be noticed in accordance with Article V Section 6 at the conclusion of the Committee on Rules' report during the next MCDEC meeting.

Section 3. Notice of Amendments:

The text of the proposed amendment to the Bylaws shall be sent to each member of the county committee with the 30 day notice prior to the County Committee meeting at which it is to be considered.

Section 4. Adoption:

The Bylaws may be amended by a two-thirds (2/3) vote of the members present at a meeting of the MCDEC, provided that written notice setting forth the proposed amendment has been given to all members of the MCDEC at least thirty days (30) prior to the date of the meeting. Any amendment so adopted shall be effective immediately, unless the amendment itself provides otherwise.

Article VIII – Parliamentary Procedures

The rules contained in Robert's Rules of Order as most recently revised, shall govern meetings where they are not in conflict with the Bylaws or special rules adopted by this organization. These Bylaws shall be in full force and effect upon their adoption and shall supersede all rules, motions, and policies of a contrary nature; except for where in conflict with The Charter & The Bylaws of the Democratic Party of the United States; West Virginia Code.

Article IX – Right of Appeal

As outlined in ARTICLE V, Section C, 5 of the WVDP Bylaws, the West Virginia Democratic Party Board of Appeals has the authority to hear and decide on all disputes and conflicts that may arise from any political convention, including contests for delegates, officers, or official positions on the Committee or the executive committees of political subdivisions within the state. The Board of Appeals is also empowered to settle any controversy that could impact the interests of the Party in West Virginia.

Article X - Democratic Ballot Vacancies

The County Committee is responsible for filling any vacancies that exist on the Democratic ballot in the county. This duty is subject to the provisions outlined in West Virginia Code, Chapter 3, Article 5, Section 19. The Committee shall fulfill this responsibility by obtaining a majority vote of a quorum and then the Chair shall certify the appointment with the Secretary of State.

Adopted by the Monongalia County Democratic Executive Committee on _____