

# **Minot AFB Private Organizations & Unofficial Activity Guidelines**

Please make sure to read through AFI 34-223 as well as the Private Organizations Guide.

**Private Organization (PO):** A group that has submitted all required paperwork to the Private Organizations Coordinator (5 FSS/FSCA) and has received approval from the 5 MSG/CC

**Unofficial Activities (UA):** Any person or group not registered as a Private Organization or a Professional Organization. Coffee funds are an example of an Unofficial Activity.

Unofficial Activities are required by AFI 34-223 2.2 to become a PO if they exceed a monthly average of \$1,000 over a consecutive three month period. If your group meets this requirement or would like to become a PO, contact the PO Coordinator – 5 FSS/FSCA for the following paperwork which, once submitted, will be routed to 5 MSG/CC for approval: Letter for Approval, Insurance Waiver/Policy, Liability Waiver, Liability Roster, Officer Roster, and Constitution/ Bylaws

## **Fundraisers:**

\*The following applies to both Private Organizations and Unofficial Activities and all groups must comply with AFI 34-223.

Private Orgs/Unofficial Activities are allowed two fundraisers per quarter and all fundraiser requests must be submitted to the Private Organizations Coordinator. Please keep in mind it takes three weeks to process a fundraiser request and you may not advertise your fundraiser until it has been approved. Try to submit your fundraiser requests five weeks before the date you would like to hold your fundraiser. That way, you will have two weeks to advertise.

PO/UA members may not be in uniform or on duty while conducting fundraisers. Official CFC or AFAF fundraisers are not routed through the PO Coordinator and members are allowed to be in uniform while fundraising.

Fundraisers may not be held in any work areas. Breakrooms, hallways, and entrances are permitted with facility manager approval.

If your fundraiser includes homemade food for sale, you will need to get a food handler's certificate from Public Health and submit that with your fundraiser request. If your PO/UA is requesting donations for homemade food, a food handler's certificate is not required.

POs/UAs are not allowed to use government email to advertise for fundraisers.

If you will be using flyers to advertise your fundraiser, you will need to submit the flyer with your fundraiser request. Flyers may not include government email addresses, phone numbers, or rank and you will also need to include the following disclaimer on any advertising materials (signs, flyers, etc):

"This is an unofficial activity. It is not part of the Department of Defense or any of its components, and it has no government status. It has been approved by 5 FSS."

If your PO is soliciting off base, a solicitation letter must be submitted to the PO Coordinator with a fundraiser request and will be routed for approval. Solicitation requests are considered a fundraiser, but may be combined with a fundraiser (like a bake sale) for the same purpose.

Fundraisers may be held during CFC and a donation to CFC is not required.

PO paperwork must be up to date in order to submit a fundraiser request. Once paperwork has been submitted to the PO Coordinator, the PO may begin submitting fundraiser requests again.

## **Fundraiser Raffles:**

If you would like to hold a raffle you will need to fill out the raffle permit and mail it to the appropriate address for Ward County or the City of Minot for their signature. Where you apply for the permit is dependent on where the pulling of the winning ticket is being held. If on base, it will be Ward County. Once you have a signed permit you will need to submit that to the PO Coordinator with your fundraiser request.

Ward County: <http://www.co.ward.nd.us/284/Raffle-Information>

City of Minot: <http://www.minotnd.org/225/Gaming-Permits>

Unofficial Activities may not conduct raffles, games of chance (drawings), or lotteries under any circumstances.

**Reapproval:**

All POs must be reapproved every two years and each PO is responsible for submitting their reapproval paperwork by the due date to the PO Coordinator. Reapproval due date is determined by the date your PO was last reapproved. Paperwork for reapproval includes the following documents:

Letter for Reapproval, Insurance Waiver/Policy, Liability Waiver, Liability Roster, Officer Roster, and Constitution/ Bylaws. If no changes have been made to your constitution/bylaws, submit a memorandum stating this.

PO Coordinator will attempt to notify PO of outdated reapproval twice before a final Out of Compliance memo will be sent to the PO. If no response is received by the due date set in the letter, a recommendation to dissolve the PO will be submitted to the 5 MSG/CC.

**Dissolution of a Private Organization:**

If your PO votes to dissolve, a memorandum stating the intent to dissolve the PO and a time-phased action plan to do so must be submitted to the PO Coordinator for routing to the 5 FSS/CC for approval. Funds must be used to satisfy any outstanding debts, liabilities, or obligations. The disposal of the residual balance may be decided by the PO membership.

**Liability:**

PO members must be made aware that they are jointly and severally liable for the obligations of the PO, and their understanding of the liability must be documented in the Liability Waiver Roster. The absence of liability insurance places their personal assets immediately at risk in the event of PO liability.

**PO Name Change:**

If your PO would like to change your PO's name, submit a memorandum with explanation and an updated constitution/bylaws to the PO Coordinator.

**Other:**

Private Orgs may not use government email or property in general for PO business. However, it is always ok for you to email the PO Coordinator on government email and vice versa.

POs may not serve or sell alcohol.

If your PO has a tax exempt status please provide a copy to the Private Organizations Coordinator (5 FSS/FSCA). If your PO would like to receive tax exempt status you must go through the regional IRS office.

**Paperwork:**

All Paperwork (including fundraisers) are due to the Private Organizations Coordinator:

Email Address: **5FSS.FSCA.MinotOrgCoord@us.af.mil**

**Documents Due Monthly (If a meeting is held):**

Meeting Minutes

**Documents Due Yearly:**

Insurance Waiver

Liability Waiver and Roster

-Roster must include board member names and signatures at a minimum

Officer Roster

-Due whenever a board position changes

Financial Statement

-Due in January

**Documents Due Every Two Years:**

Letter for Reapproval

Constitution and Bylaws

-If no changes have been made, submit a memorandum stating this to the PO Coordinator

"This is a private organization. It is not a part of the Department of Defense or any of its components and it has no governmental status." IAW 34-223

MEMORANDUM FOR 5 MSG/CC

FROM:

SUBJECT: Request for Approval to Operate as a Private Organization (PO) on Minot AFB

1. In accordance with AFI 34-223, we request approval to operate as a Private Organization known as . Organization officers/leaders have been advised and understand the requirements specified in AFI 34-223 for the organization and operation of the PO. The PO will be organized and will comply with all requirements, to include guidance provided in additional supplements or local directives.
2. Organization officers/leaders understand submission of constitution and bylaws for approval is required every two years or when there is a change in the purpose, function, or membership eligibility of the PO, whichever comes first. Insurance waivers must be reevaluated annually. Enclosed/attached is a copy our constitution and bylaws or similar document, request for insurance waiver (or insurance policy if applicable), and current officer roster.

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MEMORANDUM FOR 5 BW/JA

FROM:

SUBJECT: Private Organization (PO) Request for Insurance Waiver

1. Request the base legal office recommend a waiver for insurance for the

Activities of this organization will consist of parties, or other similar fundraisers, and are considered activities of extremely low liability. All activities will be reviewed by the council to ascertain high-risk overtone. Special events that involve risk of liability exposure will be coordinated with the 5th Force Support Squadron, Staff Judge Advocate and 5 MSG/CC for the determination of insurance requirements on a case-by-case basis.

2. Per AFI 34-223, para 10.11. "POs must have liability insurance unless the Installation Commander (or upon delegation to 5 MSG/CC) waives the requirement. Insurance should be required unless the activities of the PO are such that the risk of liability is negligible. PO members must be made aware that they are jointly and severally liable for the obligations of the PO, and their understanding of the liability **must be** documented." It is understood the absence of liability insurance places members' personal assets immediately at risk in the event of PO liability. Insurance waivers must be reevaluated annually.

3. We understand that the Financial Management Office Flight Chief, on behalf of the commander, will make sure that our Private Organization (PO) continues to operate within approved limits. However, our status can be elevated to the commander on an exception basis: for example, if any changes in our operation or activities warrant having the commander withdraw permission to operate on base, rescind the waiver and require insurance coverage, or take other action.

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MEMORANDUM FOR 5 FSS/FSR

FROM:

SUBJECT: Private Organization (PO) Financial Liability Understanding

1. Per AFI 34-223, para 10.11. "POs must have liability insurance unless the Installation Commander (or upon delegation to 5 MSG/CC) waives the requirement. Insurance should be required unless the activities of the PO are such that the risk of liability is negligible. PO members must be made aware that they are jointly and severally liable for the obligations of the PO, and their understanding of the liability **must be** documented." It is understood the absence of liability insurance places members' personal assets immediately at risk in the event of PO liability. Insurance waivers must be reevaluated annually.
2. Per AFI 34-223, para 9.2. "Provide certification to FSS/FSR indicating PO members have been notified and understand their personal financial liability for obligations of the PO, as provided by law."
3. Organization officers/leaders understand all PO members must be briefed on their personal financial liability for obligations to the PO. The PO member's signatures on attached roster serves as documentation/certification of their awareness to the financial liability/obligation.

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## Private Organization Liability Understanding Roster

(Please note that pen/ink changes are authorized on the roster)

By being a member of this organization, I understand that I have been briefed and am aware that I am jointly and severally liable for the obligations of this Private Organization. I understand as a PO member I am responsible for contacting the PO should I know longer wish to be a member so I can be removed from the roster.

Per AFI 34-223, para 10.11. "POs must have liability insurance unless the Installation Commander (or upon delegation to 5 MSG/CC) waives the requirement. Insurance should be required unless the activities of the PO are such that the risk of liability is negligible. PO members must be made aware that they are jointly and severally liable for the obligations of the PO, and their understanding of the liability **must be** documented." It is understood the absence of liability insurance places members' personal assets immediately at risk in the event of PO liability. Insurance waivers must be reevaluated annually.

[illegible]

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## OFFICER ROSTER

| POSITION       | NAME(first and last) | CELL<br># | WORK<br># | EMAIL |
|----------------|----------------------|-----------|-----------|-------|
| President      |                      |           |           |       |
| Vice President |                      |           |           |       |
| Treasurer      |                      |           |           |       |
| Recorder       |                      |           |           |       |

**PRIVATE ORGANIZATION EMAIL ADDRESS:**

(If your organization has one. IE: [yourprivateorgname@hotmail.com](mailto:yourprivateorgname@hotmail.com))

**PRIVATE ORGANIZATION WEBSITE/FACEBOOK ADDRESS:**

(If your organization has one)

Rosters must be resubmitted to the Base Private Organization Monitor annually and anytime new officers are elected.

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FROM:

TO: 5 FSS/FSR

SUBJECT: Financial Report

1. Per AFI 34-223 and (PO Name) constitution the following yearly report is being forwarded to you:

Starting Balance: \$

Total Deposits: \$

Total Expenditures: \$

Balance as of (Dec of previous year): \$

2. If you require any additional information such as monthly reports, bank statements, or receipts, please contact \_\_\_\_\_ at \_\_\_\_\_



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MEMORANDUM FOR 5 BW/JA

FROM:

SUBJECT: Private Organization Constitution and Bylaws

1. No changes have been made to the constitution and bylaws since the last reapproval date of
2. If you have any questions, please contact at

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## Constitution

### Of

#### Article I Name and Purpose

, is a private organization that shall be here-in-after referred to in the constitution and bylaws as the "organization." The purpose of this group is to provide a positive contribution to the lives of base personnel. Our objectives are

#### Article II General Provisions

The organization operates on a military base only with the consent of the Installation Commander. This organization will be self sustaining. There will be no direct financial assistance to the organization from a nonappropriated fund instrumentality (NAFI) in the form of contributions, dividends, or donations of monies or assets. Operation is contingent on compliance with AFI 34-223, Private Organizations (PO) Program, and all applicable Air Force regulations. The membership is liable for organizational debts in the event the organization's assets are insufficient to discharge liabilities.

#### Article III Officers and Governing Body

Section I. The executive power shall be vested in the executive board who will be elected officers of the organization. Elected officers will consist of a President, Vice President, Recorder and Treasurer. It is the responsibility of the executive board to ensure asset accountability, liability satisfaction, and responsible financial and operational management.

Section II. Newly elected officers should consult with the 5th Force Support Squadron Private Organization Monitor for guidance/training on local base requirements, procedures, and information that supplements AFI 34-223, *Private Organizations* (PO)

Programs. It is the responsibility of the organization to ensure that a new phone list/address is provided immediately upon change to the PO Monitor so a current point of contact is always on file.

## Article IV Membership Patronage

Section I. The active membership of the organization shall consist of who have subscribed to the purpose and ideas of the organization as set forth in the constitution and bylaws. Membership is open to all persons regardless of age, race, religion, color, national origin, disability, ethnic group or gender, provided they meet the requirements of this article.

Section II. Types of Membership:

- a. Active Membership is open to all
- b. Honorary Membership may be extended to any non Department of Defense persons not eligible for active membership. The active membership must approve the application by a two thirds majority vote at any general or special meeting. A quorum must be present. Honorary members cannot vote.

Section III. Joint and Several Liability.

- a. All active members understand each may personally be held jointly and severally liable for the organization's debts and obligations, and their understanding of the liability **must** be documented.
- b. It is the responsibility of the PO to ensure all active members have been notified and understand their personal financial liability for obligations to the PO.
- c. It is the responsibility of the PO to submit the Financial Liability Understanding memo and signed roster to the PO Monitor every year with their Insurance Waiver (or insurance policy). It is the responsibility of the PO to keep the Liability Understanding Roster current and up-to-date at all times and may be required to submit for random compliancy checks as required.
- d. Any active member who terminates membership or whose membership in the organization is terminated understands he or she may continue to be personally liable for the debts and obligations incurred by the organization during that member's tenure.
- e. Neither the organization nor its individual members will not hold any honorary member liable for the organization's debts and obligations solely based on that person's honorary membership.

b. Any member's membership may be terminated by

Section I. Dues. Membership dues in the amount of \_\_\_\_\_ will be paid by \_\_\_\_\_. Normal dues collection will take place at the general membership meetings held \_\_\_\_\_. Members that join between the dues cycle will pay on a pro-rated basis.

Section II. The organization may be authorized to conduct occasional fundraisers such as bake sales, dances, car washes or similar infrequent functions. Prior to such an event all requests will be submitted to 5 FSS/CC who will review this request and forward to the 5 MSG/CC for approval in accordance with AFI 34-223, Private Organization (PO) Programs and AFI 36-3101, Fundraising in the Air Force.

Section III. The organization will have at least two signatories for all checks and bank accounts to ensure proper checks and balances in all financial matters.

Section I. The organization will not engage in activities that duplicate or compete with any base Force Support Squadron activity or NAFI, including the Exchange.

Section II. The organization must not prejudice or discredit the US Government or conflict with governmental activities in the course of doing business. Solicitation of funds by private organizations for themselves is prohibited on Air Force installations.

Section I. General membership meetings will be held \_\_\_\_\_, unless otherwise published. The meeting times will be \_\_\_\_\_. Special meetings can be conducted at the discretion of the President.

Section II. No voting will take place at a general or special meeting unless a minimum quorum of 25 percent of members is present.

## Article VIII Adoption and Amendments

Section I. The organization will ensure the constitution and bylaws are reviewed annually and forwarded to PO monitor for approval by 31 Jan every year. The organization can make changes and/or revisions at any time during the year, provided two thirds majority of the quorum approve the change at a general or special meeting of the organization. Proposed changes and revisions must be forwarded to 5 FSS/CC for approval and are subject for final review by the Installation Commander.

Section II. The constitution and bylaws amended by change or revision will remain in effect for a period of not less than six months.

## Article IX Dissolution

Upon dissolution of the organization, assets will be disposed of IAW AFI 34-223, Private Organizations (PO) Program. No individual member will benefit monetarily or materially from such disposition. Should disposition become necessary by the organization, the 5 FSS/CC will be notified in writing by the organization. The organization operates only at the discretion of the Installation Commander. Should he/she deem that there is just cause, or when the activities of the organization no longer provide a positive morale or service to installation personnel, the organization can be dissolved by the 5 FSS/CC or Installation Commander. Whatever funds that are contained in the Treasury at the time of dissolution will be used to satisfy outstanding debts, liabilities, or obligations. The balance of these assets will be distributed as follows:

## Article X Insurance

Section I. The organization has the responsibility of obtaining liability insurance against personal injury and property damage claims, and for misappropriation or embezzlement of funds by its members.

Section II. A waiver of insurance must be approved by the Installation Commander. However, any special event will be reviewed by 5 BW/JA on a case-by-case basis to determine if special liability insurance is required.

## Article XI Background Checks

Section 1. It is the responsibility of the PO to ensure background checks are completed for employees and volunteers who will have contact with children under the age of 18 in DoD-operated, -contracted, or community-based programs that are used to supplement or expand child care or youth services on a recurring basis (e.x. Girl/Boy Scouts).

Section II. As applicable, the PO will annually submit documentation verifying completion of background checks.

RECORDING SECRETARY

DATE

PRESIDENT

DATE

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## Bylaws for the

### Private Organization

#### Article I Duties of Officers

Section I. President. He/she will preside over the general and special membership meetings. The president will appoint committee chairpersons when they are required for special fund-raisers or other events. The President will ensure standing committees prepare monthly activities and financial reports and will track the progress of each of these committees. If a monthly reporting cycle is too long, the President will increase the reporting frequency, to ensure good operational and fiscal management is being maintained at all times.

Section II Vice President. He/she will assume all duties and responsibilities of the President in his/her absence. The Vice President will perform all other duties as required by the President.

Section III. Recorder. He/she is responsible for maintaining an accurate record of the proceedings and preparing a written memorandum (minutes) to present to the general membership at the next meeting. A copy of each set of minutes is to be signed by the President, filed in the organization's historical folder, and a copy sent to the 5th Force Support Squadron Private Organization (PO) monitor, NLT 10 days following each meeting. The Recorder will take attendance at each meeting, and ensure organizational records are compiled, maintained, and transferred to his/her successor. He/she will perform such other duties as required by the President.

Section IV. Treasurer. He/she will accomplish a financial statement each month and a copy will be forwarded to the 5th Force Support Squadron PO monitor, NLT the 15th of the following month. The Treasurer will collect, disburse and maintain financial records for all monies used by the organization. A consolidated financial statement will be prepared by the Treasurer for the entire calendar year and submitted NLT the 31st of Jan to the 5th Force Support Squadron PO monitor for review. Semi-annually, the Treasurer's records will be audited by a committee appointed by the President from the general membership. An annual audit performed by an independent certified public accountant is required if monthly gross revenue exceeds the dollar thresholds established in AFI 34-223, Private Organization (PO) Program. If there is an indication of fraud or other improprieties, any member of the organization or the Installation Commander can request a review be performed. When thresholds do not meet the requirements for a certified audit, and the Executive Board suspect's fraud or other improprieties, they may request an audit be performed. IAW AFI 34-223, the Installation Commander may elect to have an audit performed by the Air Force Audit Agency when he/she deems such action is warranted. All audits and financial reviews will be submitted to 5th Force Support Squadron PO monitor and filed in the organization's historical folder. All financial records will be audited at least thirty days prior to tenure and/or upon transfer to a new Treasurer. This audit will be accomplished by a team appointed by the President from the

general membership.

## Article II Election, Voting and Tenure

Section I. Any person from the general membership may be nominated as an officer of the organization. The membership will approve the nomination by a two-thirds vote of the active members present at any general or special meeting.

Section II. The term of office for all elected officers will be one year from the time of election.

Section III. Voting will be by a simple majority of all active members present. No proxy voting is permitted. Voting will take place only if a quorum is present at the time of election.

Section IV. Members will be notified of upcoming elections. Notification of selection will be publicized at least thirty days prior to the beginning of the term of office. Elected officers may be removed by a two-thirds vote of the active membership, provided a notice of termination was submitted to the officer thirty days in advance. Chairpersons and other appointees may be removed at the discretion of the President.

## Article III Dues and Fees

Reference Article V of the Constitution. No other dues or fee collections are deemed necessary by the organization.

## Article IV Standing Committees

Such committees will be established on a temporary or indefinite basis as deemed appropriate by the organizational President. Such committees operate with limited authority under the discretion of the organizational President. Such committees must follow applicable guidelines, standards, and procedures as outlined in AFI 34-223. When the organization deems these committees are no longer required, or the intended purpose/function of the committee no longer exists, these committees can be terminated at the discretion of the organizational President. Each committee chairperson will prepare an activities and financial report to be submitted to the organizational President on a monthly basis, or more frequently, if the President determines such a need exists.

## Article V Finances and Taxes

Section I. Monies or property of the private organization will come from donations, payments, or other receipts IAW AFI 34-223, Private Organizations (PO) Program.

Section II. The organization must comply with all applicable federal, state and local laws



governing like civilian activities. If the organization desires tax exempt status an application must be submitted to the Internal Revenue Service. A copy of the tax exemption certificate should be sent to 5th Force Support Squadron PO monitor for enclosure in the organization's historical record. Establishment of tax exempt status will not relinquish the organization from local or state laws. Each member is provided with a copy of the Constitution and Bylaws of the organization. Each member is informed prior to joining that financial liability incurred by the organization may result in individual responsibility. The responsibility is not relinquished even if the organization has been dissolved or redesigned. For this reason, the Executive Board will ensure that a time phased plan of action is prepared for review by the membership, prior to dissolution of assets, or at any time financial statements reflect the organization to be having financial trouble. The organization must be able to discharge its debts. Should the entity fail to do so, it will be the responsibility of its members to ensure that all debts are satisfied.

#### Article VI Insurance Coverage

Reference Article X of the Constitution. Should additional coverage be required this article will be amended to include changes/additions.

#### Article VII Awards and Gifts

Section I. Expenses of the organization may include competitive awards or contributions for worthy purposes such as base youth activities, child care centers, or chapel programs.

Section II. The organization will ensure all expenditures meet the guidelines established within AFI 34-223.

RECORDING SECRETARY

DATE

PRESIDENT

DATE