



POSSE

P.O. Box 143

Ridgway, CO 81432

MISSION STATEMENT

“Our mission is to assist the Sheriff’s Office with non-law-enforcement duties and serve our community with dignity and respect.”

BYLAWS

(Enacted 12/22)

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BYLAWS

Ouray County Sheriff's Posse, Inc

ARTICLE 1 – NAME

The name of this corporation shall be the Ouray County Sheriff's Posse, Inc., hereinafter referred to as the OCSP.

ARTICLE II – NONPROFIT CORPORATION

The OCSP elected to adopt the provisions of the Colorado Nonprofit Corporation Act on December 2022.

ARTICLE III - OFFICES

The initial office of the OCSP is located at 421 6th Avenue, Ouray, CO, 81427 and may be later relocated by resolution of the Board.

ARTICLE IV – MEMBERS

Section 1. Admission Qualifications.

The qualifications for admission in the OCSP are that an applicant:

- a) Shall be at least twenty-one (21) years of age;
- b) Shall be in compliance with all state and federal laws;
- c) Shall not have been convicted of a felony;
- d) If having served in the armed forces of the United States, shall have received an honorable discharge;
- e) Shall have lived within Ouray County for a period of at least one year immediately preceding application, unless having been on military active duty during that year, having resided within the county for at least six months immediately prior to that service.
- f) Shall not be a defendant in a criminal proceeding in the last two years

Section 2. Application Process.

The application process for an individual to become a Member of the OCSP shall include that:

- a) An Active Member shall sponsor an applicant for membership in the OCSP;
- b) The applicant shall submit a completed application (with \$100 deposit attached) to the sponsoring Member who shall then present the application to an Officer, Assistant Officer or Director for consideration. Upon receipt the Officer, Assistant Officer or Director shall refer the application to the Membership Committee for action;
- c) The Chairman of the Membership Committee shall oversee the investigation of the applicant to verify the truth and veracity of the application and ascertain the integrity of the individual. The application shall be given to the Ouray County Sheriff's Office for a complete background check and approval by the Sheriff. Upon completion of background check and approval by Sheriff, preferably within 10 days of referral but not more than 30 days thereof, the chairman shall forward the application to the Board of Directors with the committee's recommendation for further action;

- d) The Board of Directors, after reviewing the application, committee recommendation and Sheriff's Office background check and approval, shall either accept or reject the application and may do so with or without comment as to cause;
- e) Upon approval by a majority vote of the Board of Directors, the application shall be presented to the division membership for their vote. The vote shall be by secret written ballot during a monthly division general meeting; and, if approved by majority vote of the Active Member of the division, the applicant shall be sworn in as a Probationary Member;
- f) A certificate of membership shall be issued to each member. No certificate of membership shall be transferable.

Section 3. Membership Designations

The Board of Directors shall designate the membership as they deem appropriate. Members may be identified by one or more designation. A granted excuse from callouts and training meetings shall be given only by an Officer, Assistant Officer or Director. The membership of the OCSP shall be identified by the following designations:

- a) **Probationary Member.** A Probationary Member in the OCSP shall:
 - 1. Be a new Member who has been sworn in but has not completed six months of membership with the OCSP;
 - 2. Be expected to attend all general meetings, callouts, trainings and committee activities unless granted an excuse;
 - 3. Have no voting rights;
 - 4. Be a Member returning from a granted leave of absence;
 - 5. Be a Member designated under probationary action by the Board of Directors.

Upon the six-month anniversary of new membership or any time after returning from a granted leave of absence or under probationary action, the Board of Directors shall review the performance of the Probationary Member; and, if justified, advance him/her to Active Member, keep him/her as a Probationary Member, suspend or expel the Member.

- b) **Active Member.** An Active Member in the OCSP shall:
 - 1. Attend all general meetings, trainings and committee activities unless granted an excuse.
 - 2. Respond to callout notifications and arrive at callouts properly prepared for assignment unless granted an excuse.

If an Active Member does not meet the requirements stated above, the Member may be designated as a Probationary Member. The Board of Directors shall notify any Member who has not met the requirements and is designated a Probationary Member.

- c) **Honorary Life Members.** The Board of Directors may bestow honorary life membership upon Members who have achieved a minimum of 20 years of active service to the OCSP and upon a majority vote of the Board of Directors. This honor should be bestowed only for long and exemplary service. The Honorary Life Member shall be exempt from the requirements of an Active Member designation, unless they wish to be considered for nomination as a Director or Officer, are a current Director or Officer, or want to have voting rights.

Section 4. Voting and Nominating.

An Active member shall be entitled to one vote with respect to any matter required or permitted to be submitted to a vote of the Members at Member meetings. There shall be no voting by proxy. Teleconference voting at all concurrent meetings of the East and West Divisions shall be allowed. An Active Member shall be entitled to nominate Members for Board of Director positions.

Section 5. Dues and Other Amounts.

No dues shall be assessed against the Members of the OCS, other than the \$100 application fee. Other amounts owing to the OCSP by Members may include badge deposits, uniforms, supplies, equipment or other items.

Section 6. Discipline, Suspension or Expulsion.

Any Member may be disciplined or expelled for the following reasons:

- a) Not maintaining a Probationary Member or Active Member designation as stated in section 3 of this article;
- b) Unbecoming conduct which has or may reflect negatively upon the OCSP or the OCSO.

To expel a Member from the OCSP the Board of Directors shall:

- a) Notify the Member, in writing, of the reasons for expulsion at least fifteen days prior to board action;
- b) Allow the Member an opportunity to be heard by the Board of Directors, orally or in writing, not less than five days before the effective date of the expulsion.

Upon expulsion, the dismissed Member shall turn in their badge, patches, ID card and all other OCSP property in their possession to an Officer, Assistant Officer or Director and shall remove all OCSP decals from their vehicle(s) and uniforms. The badge deposit shall be refunded upon the completion of the above tasks. The shirts, jackets and other equipment which the dismissed Member has paid for are theirs to keep after removal of any patches or insignia of the OCSP.

Section 7. Leave of Absence.

On occasion, a Member's personal life may change requiring them to be less than an Active Member for a period of time. When this is the case, the Member may do so without withdrawing from membership by requesting in writing a leave of absence. If granted by the Board of Directors, the member shall be permitted to not maintain an Active Member designation for up to 12 months from the date of the granted leave of absence; and at the Member's written request for reinstatement submitted to the Board of Directors prior to the end date of the leave of absence, shall be reinstated and designated as a Probationary Member. All voting rights and participation in any OCSP activities are suspended while a Member is on leave of absence. Failure by the Member to request reinstatement as herein described shall be considered an automatic resignation, whereby, the Member may only be readmitted to membership following the new applicant process as described in section 2 of this article. Any Member called to military active duty shall be granted an automatic leave of absence for the duration of their active duty.

Section 8. Resignation.

A Member may resign by submitting a letter of resignation to any Officer, Assistant Officer or Director. All OCSP property shall be removed and returned as described in section 7, paragraph 3 of this article.

Section 9. Reinstatement.

A former Member may make a new application for membership as provided in section 2 of this article.

Section 10. Total Membership.

Total membership in the OCSP shall be limited to 35 members.

Section 11. Compensation.

Members shall not receive any salary or other compensation for their services. The Board of Directors shall not permit any part of the investment earnings or capital of the OCSP to benefit any member or another private individual.

Section 12. Member General Meetings.

Member training meetings shall be held monthly at 7:30 pm on the second Monday of the month or at such time and place as determined by the membership.

Section 13. Member Training Meetings.

Member training meetings shall be held monthly at 6:30 pm on the second Monday of the month or at such time and place as determined by the membership.

Section 14. Member Annual Meeting.

The Member general meetings in December shall be known as the Member annual meeting for election of Directors and Assistant Officers; receiving reports from Officers, Assistant Officers, Directors and committees; and, for any other business which shall properly come before the meeting.

Section 15. Member Special Meetings.

Special meetings of the Membership shall be called by the Board of Directors or by the President at the written request of not less than twenty-five percent (25%) of the total Active members of the membership, provided that notice of such meetings shall be given to Active Members at least 7 days prior to the date of the meeting. Notice of such special meetings shall include the location and time of the meeting if not at the registered office of the OCSP, and the specific business to be conducted at the meeting. No business other than that business specified in the notice shall be conducted during any special meeting.

Section 16. Member Quorum.

The quorum for Member general meetings shall be thirty-three percent (33%) of the total Active Members of the division. The quorum for any special meeting of the membership shall be thirty-three percent (33%) of the total Active Members of the membership.

Section 17. Manner of Acting.

The act of a majority of the Active Members present at a meeting at which a quorum is present shall be the act of the Membership, except as otherwise required by law or the Articles of Incorporation.

All meetings of the membership shall be governed by the most recent edition of Roberts' Rules of Order, when and if deemed necessary by the President. Failure to act in strict compliance with Roberts' Rules of Order shall not invalidate any membership action.

Notice of all meetings shall be in person, by telephone, by mail, by email, or by facsimile to each Director.

ARTICLE V – DIRECTORS

Section 1. General Powers.

The Board of Directors shall be responsible for the establishment of all policies and procedures governing the administration and operation of the OCSP.

Section 2. Qualifications.

A Member in consideration as a nominee for Director shall:

- a) Be an Active Member of the OCSP for a minimum of three (3) years immediately prior to the date of the election;
- b) Have served as an officer for at least two (2) years;
- c) Understand their obligations and duties required of the office to which they aspire.

Section 3. Duties and Responsibilities.

- a) Establish policies and procedures for the administration and operation of the OCSP.
- b) Receive and act on reports from committees of the Board, its Officers, Assistant Officers and Members.
- c) Appoint Officers as set forth in these Bylaws.
- d) Ensure that the OCSP has the necessary facilities, staff, finances, and materials to carry out its purpose, and oversee the proper use and safekeeping of all resources.
- e) Approve, support, and set policies governing any solicitation of funds in the name of the OCSP and assume responsibility and direction for the financial operation and condition of the OCSP.
- f) Ensure that all affairs of the OCSP are conducted in compliance with federal, state, and local laws.
- g) Attend all Board meetings unless granted an excuse.

Section 4. Number and Tenure.

The number of Directors constituting the Board shall consist of three elected Active Members and the incumbent Sheriff of Ouray County, Colorado, who shall be the chairman of the Board.

The affairs and management of the OCSP shall be under the control of said Board of Directors, who shall be elected for a two-year term. The first set of Directors will be appointed by the Sheriff and will serve two years.

Section 5. Resignations.

A Director may resign at any time by giving written notice to the Chairman of the Board. Unless otherwise specified in the notice, the resignation shall take effect upon receipt, and acceptance of the resignation shall not be necessary to make it effective.

Section 6. Removal.

The Members may remove one or more Directors elected by them with or without cause by a majority vote of the total Active Members of the membership.

**Ouray County Sheriff's Posse
Bylaws (Enacted 12/2022)**

A Director may be removed by the Members only at a meeting called for the purpose of removing that Director, and the meeting notice shall state that the purpose, or one of the purposes, of the meeting is removal of the Director.

Section 7. Vacancies.

A vacancy in any Director position may be filled by a majority vote of the membership for the unexpired portion of the term.

Section 8. Compensation.

Directors shall not receive compensation for their service as Directors, but Directors may be reimbursed for expenditures incurred in performing their duties.

Section 9. Confidentiality.

No Director shall knowingly disclose confidential information, including details about property, operations, personnel, policies or affairs of the OCSP, gained as a result of being a Board member.

Section 10. Board Regular Meetings.

Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by the Directors. Notice of the time and place shall be given to each Director at least five (5) days prior to the meeting.

Section 11. Board Annual Meeting.

The annual meeting of the Board of Directors shall be held in January. Notice of time and place shall be given to each Director at least five (5) days prior to the meeting.

Section 12. Board Special Meetings.

Special meetings may be held on request of the Chairman of the Board, the President or three or more members of the OCSP. Board members shall receive at least one (1) days' notice which may be oral or in writing. Notice of any special meeting shall state the purpose of the proposed meeting and the date, time, and place of the meeting. Business transacted at the meeting shall be confined to the announced agenda.

Section 13. Board Quorum.

A majority of all of the Board of Directors shall constitute a quorum and the act of the majority of the Board, where a quorum is present, shall be the act of the Board of Directors.

Section 14. Manner of Acting.

The act of a majority of the Board members present at a meeting at which a quorum is present shall be the act of the Board of Directors, except as otherwise required by law or the Articles of Incorporation.

All meetings of the board of Directors shall be governed by the most recent edition of Roberts' Rules of Order, when and if deemed necessary by the Board of Chairman. Failure to act in strict compliance with Roberts' Rules of Order shall not invalidate any Board action.

Notice of all meetings shall be in person, by telephone, by mail, by e-mail, or by facsimile to each Director.

ARTICLE VI – OFFICERS

Section 1. Officers.

The Officers of the OCSP shall be titled as President, Vice President, Secretary and Treasurer.

Section 2. Appointment, Election and Term.

Each year, at the Board annual meeting, the Directors shall appoint Members of the OCSP to serve as President, Vice President, Secretary and Treasurer. One person may hold the offices of Secretary and Treasurer.

Each Officer shall hold office for a period of one (1) year, or until his/her death, resignation or removal. Each Officer may be reappointed, without limitation, unless otherwise decided by a vote of the Board.

Section 3. Removal.

Any Officer may be removed with or without cause by a two-thirds (2/3) majority vote of the Board of Directors.

Section 4. Vacancies.

A vacancy in any Officer position may be filled by the Board of Directors for the unexpired portion of the term.

Section 5. President

The President shall:

- a) Be the chief operating officer of the OCSP;
- b) Execute contracts and other instruments of the OCSP as authorized by the Board of Directors;
- c) See that all orders and resolutions of the Board of Directors are carried into effect.

All corporate records in possession of the President shall also be maintained at corporate headquarters.

Section 6. Vice President.

In the absence or disability of the President, the Vice President shall perform the duties and exercise the powers of the President. The Vice President shall also perform such other duties as shall be prescribed by the Board.

Section 7. Secretary.

The Secretary shall be responsible for the preparation and maintenance of the minutes of all meetings of the Board of Directors, which responsibility may be delegated, and shall have custody of the seal of the OCSP and such other books and records of the OCSP as the Board of Directors may provide. The Secretary shall be responsible for all notices required by the Bylaws, shall execute such documents as require the Secretary's signature, and shall perform such other duties as shall be prescribed by the Board. All corporate records in possession of the Secretary shall also be maintained as corporate headquarters.

Section 8. Treasurer.

The Treasurer shall be responsible for the fiscal matters of the OCSP, serve as Chairperson of the Finance Committee, prepare the annual budget and perform all other duties incident to the office of Treasurer. All corporate records in possession of the Treasurer shall also be maintained at corporate headquarters.

ARTICLE VII – COMMITTEES

Section 1. Standing Committees.

The standing committees shall be: Facility & Equipment, Finance and Membership.

Section 2. Duties.

The duties of the standing committees shall be those ongoing responsibilities and projects identified and communicated in writing to the respective committee by the Board of Directors.

Section 3. Special Committees.

Special committees may be appointed by the President or the Board of Directors. Assignment of duties to special committees shall be in writing.

Section 4. Nominating Committees.

The nominating committee shall consist of three (3) members appointed by the membership at the September meeting. Each committee shall choose its own chairperson. Each committee shall conduct the nomination of Directors of the OCSP as stated in Article VIII of these bylaws.

ARTICLE VIII – ELECTIONS

Section 1. Nominations.

The nominating committees shall:

- a) Select a slate of qualified Members to run for the open Director position(s);
- b) Report their findings at the November general meeting;
- c) Ensure any Member nominated, whether on the slate or nominated from the floor, meets the qualifications for office;
- d) After nominations are closed, prepare the ballots to be used for the election.

Section 2. Election.

Nominations shall open at the November general meeting. Nominations shall close and the Directors and Officers shall be elected at the annual meeting of the membership. The election for each position shall be by secret written ballot. If the Director or Officer position has only one nominee, the election can be completed by secret written ballot or a motion for unanimous consent or acclimation.

ARTICLE IX – CONTRACTS, LOANS, CHECKS AND DEPOSITS

Section 1. Contracts.

The Board of Directors may authorize any Officer(s), or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the OCSP. Such authority may be general or confined to specific instances.

Section 2. Loans.

No loans shall be contracted on behalf of OCSP and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors.

Section 3. Checks, Drafts, Etc.

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the OCSP shall be signed by two Board Members, and as shall from time to time be determined by resolution of the Board of Directors.

ARTICLE X – INDEMNIFICATION

Each Director and Officer of the OCSP shall be indemnified by the OCSP pursuant to the provisions of Article 129 of the Colorado Revised Nonprofit Corporation Act, or any successor to such act.

ARTICLE XI – ETHICS

A. The Chairman of the Board of Directors shall advise Members of their duty to make full disclosure to the Board of any conflict of interest which they may have in matters under consideration by the Board. The minutes of the Board shall record this fact and any Member's disclosure of an interest. The member shall not participate in any discussion or vote involving a possible conflict of interest. The minutes shall reflect that the Member did not participate nor vote upon the matter being considered.

B. Behavior/Ethics

**Ouray County Sheriff's Posse
Bylaws (Enacted 12/2022)**

1. Members represent the Ouray County Sheriff's Office when acting in any official capacity.
2. No Member shall commit any act that constitutes a violation of the rules and policies of the Ouray County Sheriff's Posse, the Ouray County Sheriff's Office or Ordinances and Laws of the State of Colorado.
3. Any Member who, in the performance of his/her duties or when representing himself/herself as a Posse Member, displays a reluctance to properly perform those duties, or acts in a manner that may bring discredit upon him/herself or the program, or fails to assume responsibility or exercise due diligence, intelligence or interest in the pursuit of his/her duties may be deemed unsuitable and therefore subject to dismissal.
4. Any Member who displays unethical or unprofessional behavior in the performance of his/her duties or when representing himself/herself as a Posse Member may be subject to disciplinary actions or dismissal.
5. Any Member arrested and convicted of any criminal act may result in immediate dismissal from the program. The Posse Coordinator and the Sheriff/Undersheriff will evaluate all criminal arrests on a case-by-case basis for appropriate action. Any Member arrested for a felony or a misdemeanor, including moving traffic violations, must immediately notify the Posse Coordinator and OCSO Volunteer Coordinator.
6. No Member shall conduct an interview with the media unless directed or approved by the Sheriff, Undersheriff, OCSO Volunteer Coordinator, Posse Coordinator and/or the Ouray County PIO.
7. Members must immediately notify the Posse Coordinator if a citation is received from any agency in any State.
8. All communications will follow the Chain of Command.
9. No Posse Member should represent themselves as being "law enforcement". To do so is a felony under State law. Posse Members are volunteer citizens providing non-law enforcement support to the Sheriff's Office.

DRUG AND ALCOHOL

A. Use of Illegal or Prescribed Drugs

1. Members will not use or possess any narcotic, hypnotic, barbiturate, hallucinogenic, or somnolent drug, unless the substance has been legally prescribed.
2. Members will remove themselves from duty if they are taking a prescribed drug that may affect their ability to perform their duty.

3. All medications which are narcotics or that have the potential to negatively affect the Posse member in the performance of his or her duty will be reported to the Posse Coordinator and OCSO if the member is planning on performing any duty as a Sheriff's Posse Member during the medicated time period.

B. Use of Alcohol

1. On Duty: Members will not consume alcoholic beverages while on duty either in or out of uniform.
2. Responding: Members will not report for duty if prior consumption of alcoholic beverages occurred within 8 hours of reporting to duty.
3. Uniform Restrictions: No Member, while in uniform, shall purchase, possess, be under the influence of, or drink intoxicants on or off duty.

ARTICLE XII – FISCAL YEAR

The fiscal year of the OCSP shall end on the last day of December and begin on the first day of January in each year.

ARTICLE XIII – POLICY OF NONDISCRIMINATION

The OCSP does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

ARTICLE XIV – AMENDMENTS

These Bylaws may be altered, amended, or repealed, or new Bylaws may be adopted by a majority of the Board at any meeting of the Board of Directors, unless a particular bylaw prohibits the Board from doing so; or it would result in a change of the rights, privileges, preferences, restrictions, or conditions of membership as to voting, dissolution or redemption rights. Members representing at least ten percent of the membership may propose an amendment to the bylaws. Members shall vote on any bylaws which affect conditions of membership as to voting, dissolution or redemption rights.

The proposed changes shall have been reviewed at a previous meeting of the Board of Directors (or the membership, if required); and provided that notice be given to each member of the Board or membership of the intent to so alter these Bylaws. This notice shall be in person, by telephone e, by mail, by e-mail to each Director or Member at least thirty (30) days prior to the meeting at which such voting shall take place and shall include the proposed change(s).

ARTICLE XV – DISSOLUTION

Upon dissolution of the OCSP, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(C)(3) of the Internal Revenue Code, or corresponding Section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the court of general jurisdiction of the county in which the principal office of the OCSP is then located, exclusively for such purposes or to such organizations as said court may determine, which are organized and operated exclusively for such purposes.

This document was approved by the Board of Directors of OCSP at a duly noticed meeting of the Board on day of 2023.