

# **Bethel Cemetery Association**

## **Bylaws**

**Name:** This organization shall be known as the “Bethel Cemetery Association”.

**Purpose:** The purpose of the organization shall be to provide for the permanent care and maintenance of the Bethel Cemetery at Bethel Presbyterian Church in Bethel Township, York County, South Carolina.

**Registered Office & Agent:** The organization shall continuously maintain a registered office and registered agent at the same address in South Carolina. The board of directors may change the registered office or registered agent by delivering a statement of change to the Secretary of State for filing pursuant to S.C. Code Ann. § 33-31-502.

**Members:** Any person may be admitted as a “member” for such consideration as is determined by the board of directors. Because they have no right to vote for directors, however, they are not “members” as that term is used in S.C. Code Ann. § 33-31-140. All members, at least 21 years of age, of Bethel Presbyterian Church or Redeeming Grace Presbyterian Church, and their spouses may reserve a lot by joining the Association. All cremations will adhere to the same membership dues and lot regulations as regular burials. There shall be two classes of members:

1. **General:** Dues in this class shall be paid annually, to be used for upkeep of the cemetery. This class is not an option anymore. It is grandfathered only to members prior to June 1, 2005.
2. **Lifetime:** Dues in this class shall be a one-time payment payable at the time the lot is assigned. The fee shall be deposited in the organization’s investment funds.

No member may assign, pledge, hypothecate, transfer or otherwise dispose of all or any part of a membership, grave or plot without first offering, in writing, such interest back to the association. Within 60 days after the delivery of said offer the board of directors shall deliver to the member a written notice either accepting or rejecting the offer.

**Directors:** The organization shall have 13 directors. The Bethel Presbyterian Church Session shall appoint 5 directors. The Redeeming Grace Presbyterian Church Session shall appoint 4 directors. Additionally, the Bethel Presbyterian Church Session shall appoint 1 director from its active membership and the Bethel Presbyterian Church Board of Deacons shall appoint 1 director from its active membership. The Secretary and Treasurer of the organization shall serve as the remaining 2 directors.

- 1 -

Directors shall each serve a 2 year term, or until a successor is appointed, and directors may be appointed to consecutive terms. The board of directors shall meet at least once a year as called by the president, and shall work in cooperation with the officers of the Bethel Presbyterian Church. A quorum of 7 directors shall be necessary to take action at any meeting. Vacancies created by death, removal or resignation may be filled by the appropriate appointing body.

The board of directors shall have all the power and authority granted to it by South Carolina law, including all powers necessary and appropriate for the management of the business and affairs of the organization; including, but not limited to, the power and authority to provide for the proper care, maintenance and oversight of the cemetery grounds, and to implement such rules and regulations as become necessary or desirable for the same.

**Officers:** The organization shall have a president, vice president, secretary and treasurer, each of whom shall be elected annually by the board of directors and shall serve until a successor is appointed.

The election shall take place at the first meeting of directors held each year. Officers must also be directors. If possible, the offices of president and vice president should alternate between the Bethel Presbyterian Church and the Redeeming Grace Presbyterian Church, and the vice president should succeed the president.

The president shall have the usual duties of an executive officer with general supervision over and direction of the affairs of the organization. In the exercise of these duties and subject to the limitations of the laws of South Carolina, these bylaws, and the actions of the board of directors, the president may appoint, suspend, and discharge employees and agents, and shall preside at all meetings of the board of directors.

The vice president shall have the powers, perform the duties, and act for the president in the president's absence or disability, or when so directed by the president or by the board of directors.

The secretary, unless otherwise determined by the board of directors, shall have such powers and perform such duties as are ordinarily incident to the office of secretary, including keeping the minutes of all meetings of the board of directors and committees, and taking care of such other books and papers as the board of directors may direct.

The treasurer, unless otherwise determined by the board of directors, shall have charge of all the funds and securities of the organization. When necessary or proper, unless otherwise ordered by the board of directors, the treasurer shall endorse for collection on behalf of the organization, checks, notes and other obligations, and shall deposit the same to the credit of the organization in such books or depositories as the board of directors may designate and shall sign all receipts and vouchers for payments made to the organization. The treasurer shall sign all checks made by the organization, except when the board of directors shall otherwise direct, and shall enter regularly, in the books of the organization, a full and accurate account of all moneys received and paid on account of the organization. Whenever required by the board of directors,

- 2 -

the treasurer shall render a statement of the financial condition of the organization and shall at all reasonable times exhibit the books and accounts to any director upon request.

1. **Committees**: The standing committees of the organization shall be as follows, or as shall otherwise be determined by the board of directors:

1. Grave Registrar Committee: This committee shall have charge of the location of graves and lots in the cemetery and shall report, at least once a year, to the board of directors
2. regarding the same.

2. Auditing Committee: This committee shall audit the books and accounts of the organization and shall report, at least once a year, to the board of directors regarding the same.

3. Historical Committee: This committee shall be entrusted with the responsibility of preserving such records or information as may be considered of historical value in connection with the cemetery and shall report, at least once a year, to the board of directors regarding the same.

4. Investment Committee: This committee shall invest funds from Lifetime Memberships, with the income to be transferred to the Operating accounts for maintenance and upkeep of the cemetery. This committee reports to the board of directors and issues a report at the Association's annual meeting. This committee is composed of 3 members: 2 from Bethel Presbyterian Church and 1 from Redeeming Grace Presbyterian Church.

Each committee shall be comprised of 2 directors, or as shall otherwise be determined by the board of directors.

**Meetings:** The organization shall hold an annual meeting at such time and place as shall be determined by the board of directors. At the annual meeting, the president and treasurer shall report on the activities of the organization and its financial condition. Failure to hold an annual meeting as planned, however, shall not affect the validity of any action taken by the organization, its directors or officers.

**Policies & Procedures:** The board of directors shall from time to time establish policies and operating procedures relative to the conduct of business related to these bylaws, to amendments of these bylaws, and to resolutions and other actions that the board may take that will require sustained activity by the organization, including the development of administrative procedures to ensure that all laws, regulations, rules, policies and other edicts issued by the board are supported within the day-to-day operations of the organization.

- 3 -

**Limitation of Liability:** No director, officer or member of the organization is personally liable, as such, for the acts, debts, liabilities or obligations of the organization.

**Records Maintained:** The organization shall keep as permanent records minutes of all meetings of its board of directors, a record of all actions taken by the board of directors without a meeting, and a record of all actions taken by committees. The organization shall also maintain accounting records, and accurate and current records of its members and directors.

**Amendments:** The board of directors shall have the power to alter, amend, or repeal these bylaws by a majority vote taken at any regular or special meeting of the directors where a quorum is present.

**Dissolution:** Upon dissolution of the organization, assets shall be distributed to the Bethel Presbyterian Church or its successor for one or more exempt purposes.

REVISED JANUARY 1, 2018

- 4 -

