



# Whites Chapel Cemetery Association

Post Office Box 92082  
Southlake, Texas 72092

## PROCEDURE MANUAL

This procedure manual was written to give the Whites Chapel Cemetery Association guidelines to use while conducting normal business transactions of the Association. The association was created in 1982 and during a special meeting the By-laws and Articles of Incorporation were voted on by the association members. The procedure manual can be used to clarify the By-laws and Articles of Incorporation. In no way will the procedure manual supersede the By-laws and Articles of Incorporation as they will continue to be the supreme law of the association.

### ANNUAL MEETINGS

The Whites Chapel Cemetery Association's regular meeting time will be in but held on a Saturday, prior to January 31 of each year, at which all the previous year's business actions shall be reviewed and presented to the body for ratification and/or approval. Meetings will be conducted by the following guidelines.

1. All motions must have a simple majority vote of the members present to carry.
2. Any motions which serve to amend the Articles of Incorporation and By-Laws require a vote of two-thirds of the members present provided the amendment was read one year before being voted upon.
3. All meetings shall be conducted by the rules contained in Robert's Rules of Order, as long as they are consistent with the By-laws.
4. The minutes of the previous meeting shall be read and approved. Both the Secretary-Treasurer and the President shall sign the minutes of the association's meetings.
5. The Order of business of meetings shall be: (a) Roll call of officers; (b) Reading of the minutes of the previous meeting; (c) Bills and communications; (d) Reports of officers and committees; (e) Unfinished business; (f) New business; (g) Good and welfare; (h) Treasurer's report; (i) Receipts and disbursements itemized; (j) Election of Officers, and (k) adjournment.
6. Within the year the President may find it necessary to call special meetings for the board members. All meetings will include the officers of the association. All meetings will be open for any association member to be present should they desire to attend. It is the responsibility of the Secretary/Treasurer to take the minutes of all meetings.

## DOCUMENTS REQUIRED FOR THE ANNUAL MEETING

The Secretary/Treasurer shall prepare a financial report from the previous year's expenditures and present it to all members of the Association to see. This report shall contain the previous year's expenditures, donations to the association, permanent fund account, and cash on hand in the form of checking, savings, money market accounts or Certificates of Deposits (CD). The financial report will be from the date of the last meeting until the date of the current year's meeting instead of calendar year.

The Executive committee shall prepare and present at each yearly meeting a proposed budget for the coming year.

The Executive Committee of the Association shall consist of the elected officers of the Association. A quorum of the Executive Committee shall consist of four members.

## ESTABLISHING WHO IS ENTITLED TO MEMBERSHIP IN WHITES CHAPEL CEMETERY ASSOCIATION. CONSTITUTION AND BYLAWS ARTICLE III SECTION 2.

Membership in this Association shall be open to any person who contributes to the maintenance of the cemetery, and/or to any immediate family member of any person buried in this cemetery. All members must subscribe to the Association Articles of Incorporation and By-Laws. It is the responsibility of the Secretary/Treasurer to keep a record of the membership for the purpose of mailing out a yearly newsletter.

It is the responsibility of the nominating committee to determine if a person is eligible to serve as an Officer of the Association. A nominating committee will be appointed by the Executive Committee consisting of the incumbent President, Vice President, and Secretary/Treasurer. The nominating committee will then take the following steps to determine if a candidate is available and qualified for the different Offices of the Association. Board members must live in the State of Texas.

1. Establish which offices need to be filled. For consideration to one of the offices a candidate should be willing to serve for at least three years and be elected in alternate years to allow as much experience on the board during the year.
2. Establish if the candidate for office is qualified to hold the office.
  - a. No immediate family member (see definition below) of candidate may be elected to office in the same year.
  - b. The Candidate must have a family member (see definition below) buried in Whites Chapel Cemetery.
  - c. Interview candidate to determine qualifications and their willingness to serve on the board for at least three years and be elected in alternate years to allow as much experience on the board as possible.
  - d. Present the recommendations to the membership at the annual meeting. The membership will vote on the candidates and the new officer will take over from this meeting forward.

## ESTABLISHING WHO IS ENTITLED TO SERVE AS AN OFFICER OF WHITES CHAPEL CEMETERY ASSOCIATION. CONSTITUTION AND BY-LAWS ARTICLE V SECTION II

On the members of the association voted to amend the By-Laws to read The Officers of this Association shall consist of a President, Vice-President, Secretary-Treasurer and four Trustees. No two people in the same household may be elected to office in the same year. <sup>1</sup>All Officers elected are only people that have family members buried in WHITES CHAPEL CEMETERY, except two honorary Trustees appointed by the President if necessary.

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<sup>1</sup> Amended by membership vote November 9, 2009

<sup>2</sup> Amended by membership vote November 3, 2012

During the annual meeting held on January 21, 2023, and during discussion of new business the Secretary-Treasurer noted due to health issues he would be unable to perform the duties of both offices and resigned from the office of Secretary. A motion was made and seconded to temporarily split the duties of these two offices and nominate a replacement Secretary. During the nomination of new officers, two people were appointed for a one-year term to fill Secretary and Treasurer positions. This will allow the board time to re-write the duties of all officers ARTICLE V SECTION SIX. Since this was the first reading to change the duties of the Officers, the changes to the By-Laws during the 2024 annual meeting they will be voted on and if approved be amended. In addition, the Secretary and Treasurer office will be amended to a two-person position.

#### DUTIES OF THE OFFICERS. CONSTITUTION AND BYLAWS ARTICLE V SECTION 6

##### Duties of the President.

The President shall preside and maintain order over all meeting of the Whites Chapel Cemetery Association unless providentially hindered. He shall sign all necessary legal and financial documents approved by the body of the Association while he occupies the chair. He shall take no part in the debate except with the consent of a majority of the members present. He shall enforce the Articles of Incorporation and By-laws and acquire a working knowledge of parliamentary law and procedure. He shall become thoroughly familiar with the Whites Chapel Cemetery Association Articles of Incorporation and By-laws. He shall hire, arrange for, and or supervise all work done on the cemetery.

##### Vice-President.

In the absence of the President, the Vice-President shall preside and perform the duties of the President and shall assist the President when needed.

##### Duties of the Secretary-Treasurer.

In the absence of the President, Vice-President, the Secretary-Treasurer may open the meeting, and the body may elect on member to preside pro-tem. The Secretary-Treasurer shall keep the minutes of the meeting, shall read the minutes of the previous meeting, and receive and keep a correct record of all money paid into the Association.

The Secretary-Treasurer shall pay, with the signature of the President and Secretary-Treasurer, those routine bills which are dated properly and accompanied by receipt. Disbursements by check requiring more than five hundred dollars (\$500.00) must first be approved by the body of Whites Chapel Cemetery Association and must be signed by both the President and the Secretary-Treasurer of the Association. An exception to the above guidelines shall be the purchasing of new earning assets by the Secretary-Treasurer, when funds are moved from the checking account to other funds within the same Association accounts. These rules shall be upheld unless a pressing need arises, in which case a unanimous vote of the Executive Committee may authorize a check to be issued.

In accordance with the By-laws and the Articles of Incorporation of Whites Chapel Cemetery Association, the Officers of this Association shall consist of a President, Vice-President, and a Secretary-Treasurer and three Trustees. The first board was asked to hold the office for a term of three years, at which time the person can concede at their own will or continue to serve for as long as they are able.

Any office holder who is found short in his account or who embezzles the funds of this association must be required to pay the full amount of their shortage or embezzlement to the Association and must forfeit his right to ever hold office in this association again.

#### ESTABLISHING WHO IS ENTITLED TO BURIAL IN WHITES CHAPEL CEMETERY ASSOCIATION

Although the By-laws do not govern who can be buried in Whites Chapel Cemetery it has been a matter of practice for burial to be restricted to family members (see definition below) of those previously interred in family plots. These family plots were established many years ago and in most cases are remembered by a family member or marked with a concrete border around the plots. During early times of the cemetery, it was customary for a space to be marked by fieldstones which is now prohibited by the bylaws. As these stones have deteriorated and the older members of the families have passed on, it has left many unmarked graves and no permanent records of these spaces being used. During the digging of a burial site that is perceived to be vacant, should a casket or vault be struck, the association must be notified. All the cost of digging a second burial plot are the responsibility of the family.

In April 1982 Whites Chapel Cemetery was incorporated as a Non-Profit Corporation and is now subject to the laws of Texas. In accordance with the laws of Texas the cemetery shall be operated as a non-perpetual care cemetery (see definition below) and is a community cemetery not exceeding ten acres in area. Although the policy for rights to burial within Whites Chapel Cemetery has been determined by family lineage, there have been times when the association was requested to bury persons who were not able to afford to be buried elsewhere. If in the future we are faced with this possibility, we will abide by the laws of the state and the Articles of Incorporation of Whites Chapel Cemetery Association, which state any monies received from contributions for the right to bury, must be used for the operation and maintenance of the cemetery and that the requirement cannot be set at a rate that would intend to exclude any class of people from using the cemetery. All burials in Whites Chapel cemetery must be approved by the board of Whites Chapel Cemetery Association.

It is the responsibility of the family to make arrangements for the burial. The association does not have the records of whom or where a person is to be buried within the cemetery. The only involvement in the burial the board will have is to provide as much support as possible to the family and to ensure the grounds of the cemetery are clean and mowed. The board will coordinate with Whites Chapel Methodist to arrangement for parking. There are no parking spaces within the cemetery.

The following are guidelines for burial within the cemetery:

1. Notification of the death of a family member to Whites Chapel Cemetery board by a family member or by the funeral home of the families choosing.
2. Determining the location of the family plot.
3. Making arrangements through the funeral home for opening of the grave. Normally Mr. James Nelson has been used in opening and closing a grave site. He can be reached at the following numbers: 817 481-1052 or 817 925-7788.
4. Making arrangements for the grave side service.
5. The permanent fund shall receive, prior to or upon burial, of any person within the cemetery property, a reasonable burial fee to be set uniformly from time to time by the association. During the November 5, 2005 association meeting there was a motion and discussion to raise the burial fee from \$100.00 to \$200.00. This motion was approved, and you will be charged a \$200.00 fee for the burial of your loved one. If you use a local funeral home this fee will be paid to the funeral home and then forwarded to the association. Past and present board members are exempt from this burial fee in return for your service to the association. However, if the family members wish to make a donation to the cemetery association of any amount the association will invest these funds in accordance with the family's wishes.
6. Should a member or family member wish to be cremated and the urn buried in Whites Chapel Cemetery all the rules of a ground burial shall apply. In the future all cremation burials must be approved by the board of Whites Chapel Cemetery Association.
7. In a timely manner not to exceed one year, all burials require a permanent headstone be placed on the grave site.

#### WHAT WILL HAPPEN IF THE ASSOCIATION IS DISCONTINUED? ARTICLES OF AMENDMENT TO THE ARTICLES OF INCORPORATION OF WHITES CHAPEL CEMETERY ASSOCIATION ARTICLE FOUR SUB PARAGRAPH 6

Upon the discontinuance of the association or otherwise, the Board of trustees shall, after paying or making provisions for payment of all of the liabilities of the association, disposer of all of the assets of the association dispose of all of the assets of the association exclusively for purposes of the association in such a manner, or to a

city, county or other political subdivision for the purpose of care and operation of the Cemetery or for any other public purpose, or to such an organization and operated exclusively for such purposes as shall at the time qualify as an exempt organization under Sections 501 (c) (13) of the Internal Revenue Code of 1954 (or other corresponding provisions of and future United States Internal Revenue Law) as the Board of Trustees shall determine.

#### ESTABLISHING A PERMANENT FUND ACCOUNT

The purpose of the permanent fund is to establish funds to be used for the preservation, improvement and maintenance of the cemetery property as it now exists or hereafter is expanded. The guidelines for establishing a permanent fund are found in the Constitution and Bylaws. This permanent fund was established in October 1982 when Joy Trent as acting Secretary/Treasurer created savings account # 03-6819-1 with a starting balance of \$2000.00. This was done in accordance with the By Laws for the purpose of preserving the cemetery and providing funds in the form of interest from the principle of this account. This interest money was only to be used for maintenance of the cemetery and upkeep. As funds were added to the principle the interest would be rolled over into another account and used for the listed purposes. As the previous Secretary/Treasurers would move this interest around from account to account the trail of the permanent funds (principle and interest) has become entwined in the accounts, being CD's money market and savings. In 2012 the Secretary/Treasurer and President of the association went through the financial statements and reconstructed the balance for the permanent fund. On 25 January 2012 the association purchased a separate CD for the sole purpose of reestablishing the permanent fund account. The permanent fund account will be kept separate from any other accounts and will be reported on the yearly financial report. No less than once a year the Secretary/Treasurer will reinvest the permanent fund into another CD or interest-bearing form of investment. At which time any funds which were donated to the permanent fund or burial funds collected during the year from the death of a member of the association will be added to the principle of the permanent fund. The interest earned from this account will be rolled over into the maintenance fund. If these funds are not required in the maintenance fund, they can be left in the permanent fund account into the account they will now be considered as permanent funds. The interest from the permanent fund is scheduled to automatically roll into the maintenance fund yearly.

If a person donates to the association for a specific purpose the entire amount of the gift will be used for its designated purpose, subject to the approval of the Executive Committee.

#### DEFINITIONS

##### Family member

"Refers to a person's spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law, father-in-law, daughters-in-law and sons-in-law, aunt, uncle, and cousins of either the husband or his wife. Adopted, half and step members are also included in family members."

##### Non-perpetual care cemetery

"Is a cemetery which does not have a perpetual care trust fund established as provided by Chapter 712 of the Health & Safety Code."

#### GENERAL RULES OF THE WHITES CHAPEL CEMETERY ASSOCIATION

1. The Executive committee of the association shall determine the time and circumstances of removal of all trees taken from the cemetery property.
2. Persons who place flowers on graves will be expected to replace them or remove them when they are no longer presentable. Flowers or other grave decorations which, due to weather exposure, have become faded or worn will be removed during normal cemetery maintenance. All fresh flowers placed on and surrounding graves at the time of burial will be removed when they are no longer presentable.
3. Any chemicals used in connection with tree or shrub maintenance, etc., must first be approved by the Executive Committee. No pesticides shall be permitted which may damage beneficial or desirable trees and grasses.

4. Excess dirt within the cemetery shall be removed to a designated area to be determined by the Executive Committee of the cemetery. No dirt shall be removed from the cemetery except as authorized by the Executive Committee.

5. No signs of any type may be posted within grave spaces.

6. No fieldstones may be used as grave markers in the cemetery. No fieldstones now standing in the cemetery may never at any time be removed, unless another suitable marker be placed at the grave at the time of the old marker's removal. From time to time during normal cemetery maintenance, as unmarked graves are discovered, they shall be marked in some permanent fashion, so that they may not again be lost.

7. No franchise shall be given or sold at any price for services rendered within this cemetery.

8. No one shall remove trees or shrubs from the cemetery. If any need to be removed, the President shall be notified and he shall take care of the needed work.