

**SEARLES VALLEY CEMETERY ASSOCIATION
P.O. BOX 171
TRONA, CA 93592**

RECEIVED
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LAFCO
San Bernardino County

December 4, 2009

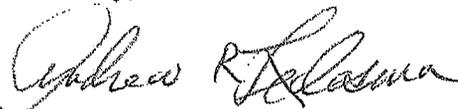
Pamela Vandervoort, Regional Manager
Special Districts Department
157 West 5th Street, Second Floor
San Bernardino, CA 92415-0450

Dear Ms. Vandervoort:

In response to your letter November 3, 2009, requesting additional information regarding the Searles Valley Cemetery Association, enclosed is a detailed report with pertinent attachments prepared by Margaret Brush past President and Secretary and active volunteer of the Searles Valley Cemetery Association

As President, I have read the report and believe the report answers the questions requested by LAFCO.

Sincerely,



Andrew Ledesma
President

AL:mb
Enclosures

HISTORY & OPERATION OF THE SEARLES VALLEY CEMETERY ASSOCIATION

The Searles Valley Cemetery Association was established in 1958 when no further burials were to be buried in the Argus Cemetery.

The Searles Valley Cemetery became a Non-Profit Corporation (State of California Number CO 388573 and Federal Tax Identification Number 95-3068314) to build and operate a public cemetery. The American Potash & Chemical Corporation had donated the land for the cemetery to the Searles Valley Cemetery Association. However, an obstacle arose that to establish a public cemetery the Cemetery Association had to either form a Cemetery District, since only a taxing entity could own the land, or to place \$25,000 in a fund under the private cemetery laws in letters dated 1/28/1964, and January 30, 1964 attached. The Cemetery Association decided to proceed with forming a Special District to meet the requirements for a public cemetery.

In a letter dated August 18, 1964, Robert B. Rigney informed the Searles Valley Cemetery Association that County Service Area No. 22 was formed and also that the property could be transferred to the County. The land on Athol Street for the new cemetery was then quit-claimed to San Bernardino County and accepted by the Board of Supervisors in September 1964.

In 1976, CSA 22 was a part of a proposal to reorganize five existing agencies into a single county service area with four improvement zones to provide different levels of services (LAFCO 1568) CSA 22 with enlarged boundaries became CSA 82 with powers which included the Cemetery.

In a letter dated July 12, 1982 to Robert Older, County Supervisor of the First District Doris Bray, Secretary of the Searles Valley Cemetery Association, requested that a contract be entered into between the non-profit Searles Valley Cemetery Association and the Board of Supervisors to have management of the Searles Valley Cemetery at no charge to the County. (Note: If a contract was ever written, no contract was found in the Cemetery Association files.)

The Cemetery Association is operated with an eleven member Board of Directors by amendment to the By Laws dated March 5, 2004. Four persons serve 6 years, four persons serve 4 years, and three persons serve 2 years. This schedule ensures the Board continuity of Searles Valley Cemetery Association. Elections are held in January at the Annual public meeting. The annual meeting notices are mailed to the residents of Searles Valley by the Searles Domestic Water Company in their January billing. Notices are also posted at the businesses throughout the community.

Officers of the Board are then elected by the Board at their January meeting.

All Board members are volunteers—no salaries are received. These Board members & community volunteers see that the cemetery is well maintained. An annual cleanup is held.

Present officers are: Andrew Ledesma – President
 Gary Giraud – Vice-President
 Secretary – Dorothy O'Donnell
 Treasurer – Ruth Payton

Separation of the office of Secretary/Treasurer was made by amendment to the By Laws dated October 29, 2007.

Board meetings are held quarterly—January, April, July & October. Annual and Board meeting minutes are recorded. Meetings of the Association are held at the Trona Senior Center. Active cemetery files are kept by the Secretary since no office is available for the Cemetery Association. Historical documents are filed at the Searles Valley Historical Society Museum.

The Secretary maintains the permanent record of burials at the cemetery. A original copy of each burial permit is signed, the plot number affixed and mailed to the Registrar San Bernardino County Health Department, 351 Mountain Avenue, San Bernardino County, CA 92415.

The Cemetery Association is funded by donations from community and family members of deceased relatives buried in the Cemetery. There are no fees charged to the citizens of Searles Valley and Homewood Canyon for burial in the Searles Valley Cemetery. In an amendment to the By Laws dated October 26, 1999, fees for non-residents are charged \$300 for full burial and \$100 for cremated remains. This fee is for opening and closing of the grave. The amendment was made to keep non-residents from coming to Searles Valley for free burial.

The bank account of the Association is with the Trona Branch of the Desert Valley's Federal Credit Union. Two signatures are required on the checking account and in order to make withdrawals from the savings account. A copy of the October 2009 balance sheet along with the Desert Valley Federal Credit Union bank statement is attached.

The physical cemetery plant consists of two buildings—shed and storage, a used backhoe, and a donated electric cart for transporting burial equipment to the site. The property is fenced. The storage building is of brick and includes a unisex bathroom, and storage room for the lowering device, rakes, shovels, chairs, American flag, etc.

A drinking fountain is available on the back of the storage building. The water system valves and timers are located on the south side of the shed.

One or more Board members preside at each funeral, set up for the service and prepare the site with the lowering device. Services are held under a permanent canopy at the front of the storage building. Holland & Lyons Mortuary from Ridgecrest conducts full burial services.

The S.V. Cemetery Association handles cremation burials.

The Association averages 22 burials per year. There is a color-coded alphabetical listing of the names and plot numbers of the deceased, reserved plots, and a plot map posted on an enclosed bulletin board outside the storage building.

Graves are dug by a backhoe or by volunteers if it is necessary to dig a grave by hand. Volunteers cover the grave.

Headstones and grave decorations are the responsibility of the families of the deceased.

Electricity and water is provided by Searles Valley Minerals at no cost to the Association. Trees outline the perimeter of the cemetery.

Current Cemetery Statistics:

Number of Plots	1316
Burials - Plots Only	865 + 68 Cremations--933 Burials
Reserved Plots	437
Available Plots	14

New Cemetery Expansion

Land for the new cemetery expansion was donated by Searles Valley Minerals to San Bernardino County.

The new site has been fenced with 4' chain link fencing. A plot map showing locations of plots, cremation plots, and roads is being prepared by Searles Valley Minerals. Grading of the roads and installation of water lines, trees and the marking of individual plots is yet to be started. All graves in the new cemetery can be dug with a backhoe.

The fencing was paid for by the S.V. Cemetery Association in the amount of \$8,000. Funds are available for completing the new cemetery expansion.

Page 4

The Cemetery Association is proud of their accomplishments over the past 45 years at no cost to San Bernardino Special Districts—CSA 22/CSA82. Should the Cemetery Association ever fail to operate the cemetery, then it shall be the responsibility of CSA 82 who has the taxing powers.

Researched and prepared by Margaret Brush, Past President and Secretary/Treasurer, Searles Valley Cemetery Association



March Fong Eu
Secretary of State

1230 J Street
Sacramento, California 95814

CORPORATE DIVISION

Legal Review	(916) 445-0620
Certification	(916) 445-1430
Status	(916) 445-2900
Microfilm Records	(916) 445-1768
Name Availability	(916) 322-2387
Trademarks	(916) 445-9872
Statement of Officers	(916) 445-2020

August 19, 1980

Searles Valley Cemetery Association
P.O. Box 443
Trona, CA

Attention Doris Bray

RE: SEARLES VALLEY CEMETERY ASSOCIATION
Corporate Number: 388573

RECLASSIFICATION NOTICE

The Office of the Secretary of State is required by Section 9912 of the California Corporations Code to classify existing nonprofit corporations into one of three categories. The nonbinding advisory notice sent to the above referenced corporation, designated it to be:

- Religious
- Public Benefit
- Mutual Benefit

In response to your letter of recent date, setting forth the reasons for a request for correction, our records for the corporation will be changed to read:

- Religious
- Public Benefit
- Mutual Benefit

This is your official notice of correction of classification and should be kept with your corporate files.

Very truly yours,
Document Processing Division

SEARLES VALLEY CEMETERY ASSOCIATION

BYLAWS

I

The name of this non-profit organization shall be SEARLES VALLEY CEMETERY ASSOCIATION.

II

The purpose for which this association is formed is to provide free burial grounds to the residents of Searles Valley, comprising the named communities of Westend, South Trona, Borosolvay, Argus, Trona, Pioneer Point, Homewood Canyon, and such intervening residential areas as may hereafter develop. The burial grounds may be those in existence at the time this association is formed or those acquired subsequently, or burial grounds dedicated for public cemetery purposes held in fee title by public or private owners given for the purpose of burial. It is further the purpose of this association to solicit funds for the maintenance and upkeep of such burial grounds exclusive of the actual grave digging and such personal plot decorations or markers as may be placed in the cemetery for the deceased.

III

Location of Office

The principal office of this Association shall be in Searles Valley, San Bernardino County, California, and at such address as shall from time to time be specified by the Board of Trustees.

IV

Members

The Trustees hereinafter mentioned shall constitute the active members of the association. All residents of Searles Valley shall constitute the honorary membership of the association.

V

Trustees

There shall be six trustees of this association, who shall be residents of Searles Valley. They shall select from within their group a President and a Secretary-Treasurer. It shall be the duty of the President to preside at meetings, and the duty of the Secretary-Treasurer to record the proceedings and be custodian of funds and records of the Association. The Board of Trustees may adopt rules and regulations for administration of any cemetery under their direction, as they deem suitable and may amend the rules and regulations from time to time as they deem necessary.

The Board of Trustees shall meet quarterly during the calendar year, and at such other times as called by the President or any three members of the board to consider special business.

VI

Election of trustees

The first six trustees of this association will hold office for terms of two, four, and six years. At the end of the first two year term, and thereafter at two year intervals, the remaining four and six year trustees will elect two new trustees for a six year term of office. The trustees shall be elected from a list of candidates, nominated by the several civic organizations existing in Searles Valley, or by public ballot to be determined by the incumbent trustees. The election of the first six trustees shall be conducted by public ballot for candidates nominated by the several civic organizations in Searles Valley. Not more than two candidates will be nominated by any one organization. Candidates must be residents of the areas described in Section II of these bylaws.

The two nominees receiving the highest number of votes will be elected to hold office for six years, the two nominees receiving the next highest number of votes to hold office for four years, and the two nominees receiving the third highest number of votes to hold office for two years. Trustees shall hold office until their successors are elected or appointed, unless sooner removed.

Balloting and conducting of the first election will be by the Cemetery Committee. Balloting for subsequent elections will be conducted by the trustees.

Polls will be established by the Cemetery Committee for the first election and for subsequent elections by the trustees.

Notices concerning location of polls and time of voting shall be inserted in a newspaper having a general circulation in Searles Valley.

SEARLES VALLEY CEMETERY ASSOCIATION

BYLAWS

VII

Vacancies

A vacancy or vacancies in the Board of Trustees shall be deemed to exist in case of death, resignation, or removal of any trustee because of non-attendance at three consecutive regular meetings. The trustees shall have the power to elect a successor to take office for the unexpired term.

VIII

Notices

Notice of meetings of the Board of Trustees, or public meetings called by the trustees, shall be by newspaper or notices addressed to U.S. Post Office box holders in Argus, Trona, and Westend.

IX

Finances

The Board of Trustees will prepare an estimated annual budget of the funds needed to provide for such items as road maintenance, water, landscaping, cleaning, caretaking, or other functions necessary to carry out the purposes of the association.

Funds of the association shall be provided by an annual solicitation for funds. The Board of Trustees may, if considered necessary, solicit funds from any source available in addition to public solicitation of funds.

X

Disbursement of Association Funds

The Board of Trustees will have custody and control of the funds of the association. All disbursements shall be approved by the Board of Trustees. Checks will be signed and countersigned by the Secretary-Treasurer and one other trustee.

A quarterly financial statement, treasurer's report, and record of the proceedings of the Board of Trustees shall be made available to the public at a regular scheduled meeting of the Board of Trustees. The Board of Trustees may, if they so desire, publish the financial statement, reports and records of the proceedings of the Board.

XI

Power of Trustees

The trustees shall have the usual powers of the governing board of a non-profit corporation. All contracts and other documents shall be approved by the trustees and executed by the President and Secretary-Treasurer. The Board of Trustees will have the power to incorporate the association under the laws of the State of California.

The Board of Trustees will take title to lands acquired for cemetery purposes, unless the association is incorporated, in which case title will be taken in the name of the incorporated association.

XII

Amendments

Any part of these bylaws may be adopted, amended, or repealed by a two-thirds majority of the Board of Trustees.

SEARLES VALLEY CEMETERY ASSOCIATION
AMENDMENTS TO THE BYLAWS
10-26-1999

II

Change to: provide free burial grounds to residents of Searles Valley (includes Westend to Homewood canyon) and grave sites on hold as of 10-20-1999.
Non-residents will be charged \$300 for opening and closing graves or, reserving sites. The \$300 will be refunded if the reservation is withdrawn or they provide their own people to open and close the grave.

V

Change to: Eleven Trustees

VI

Change to: Eleven Trustees. Trustees to be elected by nominations of residents of Searles Valley described in Section II of the bylaws; 4 elected for six years; 4 elected for four years; 3 elected for two years.
The elected trustees shall select the President, Secretary-Treasurer and terms of office for the trustees.

VIII

Change to: Notice of meeting of the Board of Trustees will be by phone. For public meetings called by trustees there will be flyers sent to business organizations, Credit union, Senior Center, Channel 3 tv.

X

Change to: Checks will be signed and countersigned by Secretary-Treasurer, and President or one other trustee.

Fred Reeves Fred Reeves Ken Sargent Kenneth B. Sargent
Margaret Brush Margaret Brush Gary Giraud Gary E. Giraud
Marydith Haughton Marydith Haughton George Henson George Henson
Jim Hunter Jim Hunter Davetta Langham Davetta Langham
Vada Moses Vada Moses Russell Rector Russell Rector
Martha Shoaf Martha Shoaf

SEARLES VALLEY CEMETERY ASSOCIATION
AMENDMENTS TO THE BYLAWS
03-05-04

V

Change to: There shall be eleven trustees of this association, who shall be residents of searles valley, they shall select from within their group a President, Vice president, and a Secretary-Treasurer.

XI

Change to: All contracts and other documents shall be approved by the board of trustees and executed by the President, Vice President, and/or Secretary-Treasurer.

Margaret Brush	<u>Margaret Brush</u>	Marydith Haughton	<u>Marydith Haughton</u>
Jim Hunter	<u>Jim Hunter</u>	Leon Watson	<u>Leon Watson</u>
Gary Giraud	<u>Gary E. Giraud</u>	Davetta Langham	<u>Davetta Langham</u>
Russell Rector	<u>Russell Rector</u>	Martha Shoaf	<u>Martha Shoaf</u>
Curtis Arnold	<u>Curtis Arnold</u>	Nicholas Hunter	<u>Nicholas Hunter</u>

Print _____

Sign _____

SEARLES VALLEY CEMETERY ASSOCIATION
AMENDMENTS TO THE BYLAWS
10-29-2007

V

Change to: There shall be eleven trustees of this association, who shall be residents of Searles Valley, they shall select from within their group, a President, Vice President, Secretary and a Treasurer.

XI

Change to All contracts and other documents shall be approved by the Board of Trustees and executed by the President, Vice President, Secretary or Treasurer

Marydith Haughton Marydith Haughton Margaret Brush Margaret Brush
Gary Giraud Gary E. Giraud Leon Watson Leon Watson
Russell Rector Russell Rector Nicholas Hunter _____
Curtis Arnold _____ Todd Owens Todd Owens
Ann Epperly Ann Epperly Jessie Perez Jessie Perez
Davetta Langham Davetta Langham

January 28, 1964

Supervisor Ross Dana
Court House
San Bernardino, California

Dear Ross:

A "bombshell" has exploded on our cemetery project. The local committee has proceeded for the past four years on the legal assumption that it was creating a public cemetery.

Mr. James A. Lahey, Executive Secretary of the State Cemetery Board has informed us that under an Attorney General's opinion that to be a public cemetery, it must be run by a body having tax authority. This means a county, city or district.

The alternate is to place \$ 25,000 in a fund under the private cemetery laws. I need not tell you that the chance of getting \$ 25,000 out of this community is to remote to consider.

Now, before starting the tedious task of forming a district, we wish to ask you whether there are any circumstances under which the county would accept a deed to the cemetery? It is not within the powers of the service area nor any other existing district in the valley.

It is now graded and in two weeks could be fenced if it was not for this dilemma.

Please give this some thought as to whether the county could accept a cemetery site, with an access road to it and fenced with no maintenance cost. The community is more than willing to take care of the cemetery now and I think will in years to come. There is no capital expenditure necessary. Someone here, very much like the deputy registrar of births and deaths would have to keep a Sexton's book.

I hope you can help on this. We really don't want to form another special district if we can find some other way.

Sincerely

Doris Bray, secretary

2:30 p.m. January 28, 1964

Second memo- same subject.

The tentative proposal is that:

The Searles Valley Cemetery Assn. proceed with the completion of the cemetery site, finish grading, improve portions of the road bed, fence it, have the map drawn, all ready for occupancy, except for a state license.

This will take a matter of a few weeks.

After this is done by subscription of funds from individuals to the non-profit community corporation, then deed the parcel of ground (which includes the 2 1/2 acre site and the 45 feet of access road all attached as one piece of property) to San Bernardino County.

San Bernardino County then file the map which has been prepared as owner of the cemetery land.

The Searles Valley Cemetery Assn. then enter into an agreement with the county to maintain and beautify the cemetery without expense to the county.

The County to appoint a citizen of the community such as C.C. Jones or Doris Bray to be Sexton for the purpose of recording the burials.

Public Cemeteries are not under the Jurisdiction of the licensing power of the State Cemetery Board. A Public Cemetery must be owned by an agency with the right to levy a tax but so far as is known , no actual tax has to be levied to fulfill the term, "public".

Any cemetery now formed, not owned by a taxing agency is under the provisions of a private cemetery and must put up \$ 25,000 in cash in addition to other fees. Cemeteries in existence before 1931 are exempt , as are religious cemeteries. Searles Valley would find it difficult to operate a public burial ground under a religious auspices. There are 11 churches in the valley.

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS

CEMETERY BOARD

1020 N. STREET
SACRAMENTO 14

Members

ARCH L. HOCKING, Jr.
Chairman
LEON A. CLARK
Vice Chairman
DR. HUBERT EATON
R. L. MENITT, Jr.
WILLIAM A. LAHANIER
ALEXANDER GOOGOLIAN
Executive Secretary
JAMES A. LAHEY, CPA

January 30, 1964

Mrs. Doris Bray, Secretary-Treasurer
Searles Valley Cemetery Association
P. O. Box 443
Trona, California

Dear Mr. Bray:

This is in reply to your letter of January 28th wherein you inquired about the term "public cemetery".

We are sorry if we gave you the impression that the definition of a public cemetery was rendered by the Attorney General. The Business and Professions Code, Chapter 19, Article 1, Section 9608.6 (see page 7 of the 1963 edition of the Cemetery Act) defines a public cemetery as follows: " 'Public cemetery' means a cemetery owned and operated by a city, county, city and county, or public cemetery district." This definition has been in the Business and Professions Code since September 9, 1953.

We would appreciate your keeping us informed of your progress, and if we can answer any questions for you please feel free to call upon us.

Very truly yours,

James A. Lahey
JAMES A. LAHEY, CPA
Executive Secretary

JAL:rc

cc Mr. Walter R. Maxwell

BOARD OF SUPERVISORS

Nancy E. Smith - - - - Fifth District
Chairman
S. Wesley Break - - - - Third District
Ross Dana - - - - - First District
Daniel D. Mikesell - - Second District
Paul J. Young - - - - Fourth District

COUNTY OF
SAN BERNARDINO

SAN BERNARDINO, CALIFORNIA

August 18, 1964

Robert A. Covington
Administrative Officer
Rudolph Corone
Clerk of the Board
Dorothy T. Wagner
Secretary to the Board

Fifth Floor, Court House Addition
SAN BERNARDINO, CALIFORNIA

Mrs. Doris Bray,
Sanles Valley Cemetery Association,
County Service Area No. 22,
P.O. Box 443,
Yreka, California

Dear Mrs. Bray:

County Service Area No. 22 has been formed by the Board of Supervisors and the following people appointed to the first advisory commission:

Mrs. Doris Bray - term expires	April 15, 1968
Mr. Clifford Jones - term expires	April 15, 1968
Mrs. Mildred Casel - term expires	April 15, 1965
Fred W. Schuetz, - term expires	April 15, 1966
Jack Walker - term expires	April 15, 1967

We request that Mrs. Doris Bray call the first meeting of the County Service Area to elect appropriate officers and set a regular time and place of meeting and an official mailing address to which we will direct all correspondence.

We enclose a Special District's Manual for the information of the Chairman. We regret that we do not have sufficient copies for all commissioners.

At any time at your convenience, you may transfer property to the name of the County Service Area. However, as the service area does not have funds with which to operate, nor is it on the tax rolls for the current year, we would suggest that all cash or liquid assets be kept in the name of the Cemetery Association to be expended on the cemetery site as a contribution until the District has a budget and cash available.

In February or March of 1965, the Auditor's Office will send the necessary forms for compiling a budget which will be adopted before July 1st of 1965. Following July 1st, the District will have a budget and may borrow money from the County to operate with until tax monies become available in December.

COPY

County Service Area No. 22,
August 18, 1964
Page 2

Congratulations on working toward a successful conclusion in the formation of this District for emergency purposes. If we can be of aid to you in the future, please let us know. We would also like to arrange some time for your secretary to become familiar with the Auditor's Office at their convenience after the District has money to spend so that the expenditures of District money, the compilation of the required inventory, the formation of the budget, may be accomplished with a minimum of effort and to the benefit of all.

Yours very truly,

ADMINISTRATIVE OFFICE



ROBERT B. ROWLEY,
Administrative Analyst
Special District's Coordinator

RBR:ms

Enc.

cc: Mr. Jones
Mrs. Cappel
Mr. Schaefer
Mr. Walker

SEARLES VALLEY CEMETERY ASSOCIATION

POST OFFICE BOX 442, TRONA, CALIFORNIA

NORRIS JONES
PRESIDENT

July 12, 1982

DORIS BRAY
SECRETARY-TREASURER

Supervisor Robert Older
175 West Fifth Street
San Bernardino, California 92415

Dear Supervisor Older:

RE: Contract with Non-profit Corporation
Searles Valley Cemetery Association

This is a request that a contract be entered into between the Searles Valley Cemetery Association and the Board of Supervisors for the non-profit corporation to have management of the Searles Valley Cemetery, a public cemetery which has been operated by the corporation at no charge to the county since 1965. The deed of the cemetery from the non-profit corporation was entered into May 3, 1965.

Prior to the transfer of title, the cemetery corporation acquired the land, improved the cemetery, accepted public donations to provide the fence, accepted donations of trees and equipment, and has not at any time charged for plots. Persons living in the Searles Valley or those who lived in the valley for many years and died elsewhere are the ones eligible for burial.

The digging of the graves and the covering of the graves is done by volunteers.

Sextons who sign the burial certificate as well as the assignment of plots is done by representatives of the non-profit corporation. A fund is kept at the Searles Lake Federal Credit Union into which donations are deposited and from which necessary improvements are purchased. Volunteers from time to time, place cement slabs over the graves and clean the cemetery.

County Services Area 22 which was absorbed into County Services Area 82, when fire districts were placed together, was the county's representative for a number of years. However, no tax funds at any time have been spent on the development or the upkeep of the cemetery.

Your assistance is requested to have a contract drawn which absolves the county of any expense of any kind and vests the management in the Searles Valley Cemetery Association. At present there is a motion in the records of County Service Area 22, now defunct, that the non-profit corporation will manage the cemetery.

Sincerely,


Norris Jones, President


Doris Bray, Secretary-Treasurer