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SCANNED AUG 06 2010

Form **990-EZ**

Short Form Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code
(except black lung benefit trust or private foundation)

► Sponsoring organizations of donor advised funds and controlling organizations as defined in section 512(b)(13) must file Form 990. All other organizations with gross receipts less than \$500,000 and total assets less than \$1,250,000 at the end of the year may use this form.

► The organization may have to use a copy of this return to satisfy state reporting requirements.

OMB No 1545-1150

2009

**Open to Public
Inspection**

Department of the Treasury
Internal Revenue Service

A For the 2009 calendar year, or tax year beginning , 2009, and ending , 20

B Check if applicable

- ☐ Address change
☒ Name change
☐ Initial return
☐ Terminated
☐ Amended return
☐ Application pending

Please use IRS label or print or type. See Specific Instructions.

C. Name of organization

Eat Smart Move More Coalition South Carolina

Number and street (or P O box, if mail is not delivered to street address)

Room/suite

PO Box 3007

City or town, state or country, and ZIP + 4

Irmo, SC 29063

D Employer identification number

57-1096619

E Telephone number

(803) 941-7050

**F Group Exemption
Number ►**

• Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

G Accounting Method ☐ Cash ☒ Accrual
Other (specify) ►

I Website: ► eatsmartmovemoreesc.org

J Tax-exempt status (check only one) - ☒ 501(c) (3) ◀ (insert no.) ☐ 4947(a)(1) or ☐ 527

K Check ☐ if the organization is not a section 509(a)(3) supporting organization and its gross receipts are normally not more than \$25,000. A Form 990-EZ or Form 990 return is not required, but if the organization chooses to file a return, be sure to file a complete return.

L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts, if \$500,000 or more, file Form 990 instead of Form 990-EZ ► \$ **305,192**

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions for Part I.)

R e v e n u e	1	Contributions, gifts, grants, and similar amounts received	1	287,909
	2	Program service revenue including government fees and contracts	2	17,151
	3	Membership dues and assessments	3	
	4	Investment income	4	132
	5a	Gross amount from sale of assets other than inventory	5a	
	5b	Less: cost or other basis and sales expenses	5b	
	5c	Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)	5c	
	6	Special events and activities (complete applicable parts of Schedule G) If any amount is from gaming, check here <input type="checkbox"/>		
	6a	Gross revenue (not including \$ of contributions)	6a	
	6b	Less: direct expenses other than fundraising expenses	6b	
E x p e n s e s	6c	Net income or (loss) from special events and activities (Subtract line 6b from line 6a)	6c	
	7a	Gross sales of inventory, less returns and allowances	7a	
	7b	Less: cost of goods sold	7b	
	7c	Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)	7c	
	8	Other revenue (describe ►)	8	
	9	Total revenue. Add lines 1, 2, 3, 4, 5c, 6c, 7c, and 8	9	305,192
	10	Grants and similar amounts paid (attach schedule) STM122	10	91,750
	11	Benefits paid to or for members	11	
	12	Salaries, other compensation, and employee benefits	12	81,435
	13	Professional fees and other payments to independent contractors	13	80,285
A s s e t s	14	Occupancy, rent, utilities, and maintenance	14	
	15	Printing, publications, postage, and shipping	15	13,048
	16	Other expenses (describe ► STM130)	16	97,578
	17	Total expenses. Add lines 10 through 16	17	364,096
	18	Excess or (deficit) for the year (Subtract line 17 from line 9)	18	(58,904)
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19	86,936
	20	Other changes in net assets or fund balances (attach explanation) STM104	20	(1,494)
	21	Net assets or fund balances at end of year. Combine lines 18 through 20	21	26,538

Part II Balance Sheets. If Total assets on line 25, column (B) are \$1,250,000 or more, file Form 990 instead of Form 990-EZ.

(See the instructions for Part II.)

	(A) Beginning of year	(B) End of year
22 Cash, savings, and investments	87,716	30,134
23 Land and buildings		
24 Other assets (describe ►)		
25 Total assets	87,716	30,134
26 Total liabilities (describe ► STM132)	780	3,596
27 Net assets or fund balances (line 27 of column (B) must agree with line 21)	86,936	26,538

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

EEA

Form 990-EZ (2009)

10

Expenses

(Required for section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts; optional for others.)

28 2009 Obesity Prevention Summit - A one day statewide forum

(Grants \$) If this amount includes foreign grants, check here ☐

28a	39,091
-----	--------

highlighted our 7 Healthy Habits and are creating public

awareness of the importance of healthy lifestyles.

(Grants \$) If this amount includes foreign grants, check here ☐

29a	40,000
-----	--------

15 minigrants to various healthy eating/active living

projects throughout the state.

(Grants \$) If this amount includes foreign grants, check here ▶

30a	30,500
-----	--------

31 Other program services (attach schedule)

(Grants \$) If this amount includes foreign grants, check here ☐

	See SERVICES
--	--------------

31a	110.197
-----	---------

32 Total program service expenses (add lines 28a through 31a)

32	219.788
----	---------

(a) Name and address

(b) Title and average hours per week devoted to position

(c) Compensation
(If not paid,
enter -0-.)

(d) Contributions to employee benefit plans & deferred compensation

(e) Expense
account and
other allowances

Amy Splittgerber
PO Box 3007 Irmo SC, 29063

Executive Direc	40
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56,583

0

0

Michelle Burcin
PO Box 3007 Irmo SC, 29063

Predsidet

2

0

0

0

Lynn Hammond
PO Box 3007 Irmo SC, 29063

Secretary

1

0

0

0

Mandy Glowacki
PO Box 3007 Irmo SC, 29063

Treasurer

1

0

0

0

Part V Other Information (Note the statement requirements in the instructions for Part V.)

		Yes	No
33	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity		X
34	Were any changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the changes	X	
35	If the organization had income from business activities, such as those reported on lines 2, 6a, and 7a (among others), but not reported on Form 990-T, attach a statement explaining why the organization did not report the income on Form 990-T		
a	Did the organization have unrelated business gross income of \$1,000 or more or was it subject to section 6033(e) notice, reporting, and proxy tax requirements?		X
b	If "Yes," has it filed a tax return on Form 990-T for this year?		
36	Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N		X
37 a	Enter amount of political expenditures, direct or indirect, as described in the instructions	37a	
b	Did the organization file Form 1120-POL for this year?	37b	X
38 a	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the period covered by this return?	38a	X
b	If "Yes," complete Schedule L, Part II and enter the total amount involved	38b	
39	Section 501(c)(7) organizations. Enter:		
a	Initiation fees and capital contributions included on line 9	39a	
b	Gross receipts, included on line 9, for public use of club facilities	39b	
40 a	Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911; section 4912; section 4955		
b	Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year or is it aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I	40b	X
c	Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		
d	Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax on line 40c reimbursed by the organization		
e	All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T	40e	X
41	List the states with which a copy of this return is filed.	SC	
42 a	The organization's books are in care of	Amy Splittgerber	
	Located at	40 Village Church Ct Chapin, SC	
	Telephone no.	803-941-7050	
	ZIP + 4	29036	
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	42b	X
	If "Yes," enter the name of the foreign country:		
	See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		
c	At any time during the calendar year, did the organization maintain an office outside of the U.S.?	42c	X
	If "Yes," enter the name of the foreign country:		
43	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041-Check here and enter the amount of tax-exempt interest received or accrued during the tax year	43	
44	Did the organization maintain any donor advised funds? If "Yes," Form 990 must be completed instead of Form 990-EZ	44	X
45	Is any related organization a controlled entity of the organization within the meaning of section 512(b)(13)? If "Yes," Form 990 must be completed instead of Form 990-EZ	45	X

Part VI Section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts only. All section

501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts must answer questions 46-49b and complete the tables for lines 50 and 51.

	Yes	No
46 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I	<input type="checkbox"/>	<input checked="" type="checkbox"/>
47 Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II	<input type="checkbox"/>	<input checked="" type="checkbox"/>
48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E	<input type="checkbox"/>	<input checked="" type="checkbox"/>
49 a Did the organization make any transfers to an exempt non-charitable related organization?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b If "Yes," was the related organization a section 527 organization?	<input type="checkbox"/>	<input type="checkbox"/>

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

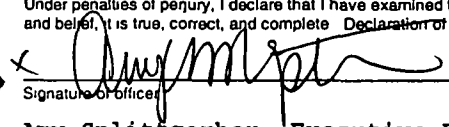
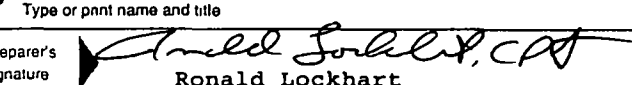
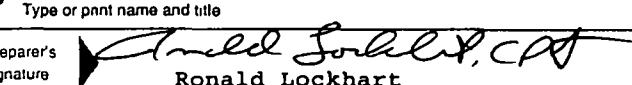
(a) Name and address of each employee paid more than \$100,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances
NONE				

f Total number of other employees paid over \$100,000 ▶

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and address of each independent contractor paid more than \$100,000	(b) Type of service	(c) Compensation
NONE		

d Total number of other independent contractors each receiving over \$100,000 ▶

Sign Here	Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.			
	 Signature of officer		Date <u>7-16-10</u>	
Paid Preparer's Use Only	 Type or print name and title Amy Splittgerber, Executive Director			
	Preparer's signature	 Ronald Lockhart	Date	<u>07-02-2010</u>
	Firm's name (or yours if self-employed), address, and ZIP + 4	Ronald S Lockhart CPA PA P O Box 2484 Lexington, SC 29071		Check if self-employed <input type="checkbox"/>
		EIN <u>57-0881041</u>		Preparer's Identifying No. (See inst.) <u>803-358-9424</u>

May the IRS discuss this return with the preparer shown above? See instructions ▶ ☒ Yes ☐ No

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants")	28,014	90,480	152,129	76,907	287,909	635,439
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge	36,580	33,113	34,000	29,835		133,528
4 Total. Add lines 1 through 3	64,594	123,593	186,129	106,742	287,909	768,967
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						
6 Public support. Subtract line 5 from line 4						768,967

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
7 Amounts from line 4	64,594	123,593	186,129	106,742	287,909	768,967
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources				1,319	132	1,451
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV)			32,249			32,249
11 Total support. Add lines 7 through 10						802,667
12 Gross receipts from related activities, etc. (see instructions)					12	
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input type="checkbox"/>						

Section C. Computation of Public Support Percentage

14 Public support percentage for 2009 (line 6, column (f) divided by line 11, column (f))	14	95.80	%
15 Public support percentage from 2008 Schedule A, Part II, line 14	15	88.00	%
16a 33 1/3% support test - 2009. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input checked="" type="checkbox"/>			
b 33 1/3% support test - 2008. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>			
17a 10%-facts-and-circumstances test - 2009. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>			
b 10%-facts-and-circumstances test - 2008. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>			
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ <input type="checkbox"/>			

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 9 of Part I.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or bus. under sec 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public support (Subtract line 7c from line 6.)						

Section B. Total Support

Calendar year (or fiscal year beginning in) ►	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV)						
13 Total support. (Add lines 9, 10c, 11, and 12.)						

14 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and **stop here** ☐ ►

Section C. Computation of Public Support Percentage

15 Public support percentage for 2009 (line 8, column (f) divided by line 13, column (f))	15	%
16 Public support percentage from 2008 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2009 (line 10c, column (f) divided by line 13, column (f))	17	%
18 Investment income percentage from 2008 Schedule A, Part III, line 17	18	%

19a **33 1/3% support tests - 2009.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ☐ ►

b **33 1/3% support tests - 2008.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and **stop here.** The organization qualifies as a publicly supported organization ☐ ►

20 **Private Foundation:** If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ☐ ►

EAT SMART MOVE MORE SOUTH CAROLINA
A SOUTH CAROLINA NONPROFIT CORPORATION

BYLAWS

Article I Name, Mission, and Vision

Section 1. Name

The name of the organization is the Eat Smart Move More Coalition South Carolina (ESMMSC).

Section 2. Mission

The mission of the ESMMSC is to coordinate collaborative and sustainable efforts to support healthy eating and active living where South Carolinians live, learn, work and play.

Section 3. Vision

The vision of the ESMMSC is to have a South Carolina in which healthy eating and active living are the pillars of healthy lifestyles in healthy communities.

Section 4. Incorporation

ESMMSC has incorporated in accordance with the provisions of Chapter 31, Title 33 of the South Carolina Code of Laws of 1976, and is organized and operated exclusively for charitable, educational, religious, or scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Article II Board of Directors

Section 1. Powers of the Board of Directors

The Board of Directors is responsible for overall policy and direction of ESMMSC, and delegates responsibility for day-to-day operations to the Executive Director.

Section 2. Membership for the Board of Directors

The Board shall have up to 18 but not fewer than 12 members.

Section 3. Term and Election of the Board of Directors

The term of Directors shall be staggered. Initial Board members shall serve staggered

terms of one, two, and three years. Thereafter, Board members shall serve two-year terms with one-third of the Directors elected at the end of the calendar year. During the last quarter of the calendar year of the organization, the Board of Directors shall elect Directors to replace those whose terms will expire at the end of the calendar year. This election shall take place during a regular meeting of the Directors, called in accordance with the provisions of these bylaws. New Directors shall be elected by a majority of Directors present at such a meeting, provided there is a quorum present. Directors so elected shall serve a term beginning on the first day of the next calendar year. Directors may serve two (2) consecutive terms if they have either served on the executive committee or as a chair of a standing committee. Board members must go off the board for at least one year before serving again.

Section 4. Qualifications of the Board of Directors

The Board of Directors should be experienced or interested in the promotion of physical activity, healthy eating, and healthy lifestyles, and represent as responsibly possible the various social, economic, geographic, and ethnic demographic segments of the State of South Carolina. The Board of Directors shall include representatives of government agencies or statewide commissions that support ESMMS's mission. At least eight Board members will be members at-large.

Section 5. Quorum of Board of Directors and Actions by the Board

A majority of the Board of Directors shall constitute a quorum for the transaction of business. If a quorum is present at the commencement of a meeting, a quorum shall be deemed present throughout such proceedings. The act of a majority of the Directors present at a meeting at which a quorum is present shall be an act of the Board.

Section 6. Meetings of the Board of Directors; Notice

- (a) The Board of Directors shall meet at least quarterly, at an agreed upon time and place, but may meet more frequently if circumstances require.
- (b) Special meetings of the Board of Directors shall be called at the request of the Chairman, Vice-Chair, or one-third of the Board. Notices of special meetings shall be sent out by the Chairman, Vice-Chair, or the Secretary to each Board member at least three days in advance.
- (c) An official Board meeting requires that each Board member have written notice at least seven days in advance.

Section 7. Informal Action by Board of Directors; Meetings by Conference Telephone

- (a) Any action required or permitted to be taken by the Board of Directors may be taken without a meeting if a majority of the Directors consent in writing through fax, mail, or

by electronic mail to the adoption of a resolution authorizing the action. The resolution and the written consents by the Directors shall be filed with the minutes of the next board meeting.

(b) Any or all Directors may participate in a meeting of the Board of Directors or a Committee of the Board by means of a conference telephone, video phone, or other electronic medium. The Board may agree to meet by any means by which all persons participating in the meeting are able to communicate with one another. Such participation shall constitute presence in person at the meeting.

Section 8. Voting by the Board of Directors

Each Director shall have one vote. All voting at meetings shall be done personally, and no proxy shall be allowed.

Section 9. Compensation for the Board of Directors

Directors shall not receive any compensation from ESMMS, except that Directors may be reimbursed for reasonable, pre-approved expenses incurred in the performance of their duties to the organization.

Section 10. Absence from Board Meetings

In the event that a member needs to be absent, s/he must inform the Chairman and/or the Executive Director. Any Director who is absent from three consecutive Board meetings without communicating to the Chairman or the Executive Director shall be deemed to have resigned due to non-participation, and his/her position shall be declared vacant.

Section 11. Removal of Directors

A Director may be removed without cause by a majority vote of the Board of Directors at any regularly scheduled or special meeting of the Board of Directors, or whenever in its best judgment the best interests of the organization would be served.

Section 12. Resignation of Directors

A Director may resign from the Board at any time by giving notice in writing to the Board. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, no acceptance of such resignation shall be necessary to make it effective.

Section 13. Vacancies of Directors

When a vacancy on the Board exists mid-term, the Chairman will create an ad hoc nominating committee that will receive nominations for new members from present

Board members. These nominations shall be distributed to Board members and will be voted upon at a regularly scheduled meeting within three months of the announcement of the vacancy. These vacancies will be filled only for the remainder of the particular Board member's term.

Article III Officers, Executive Director, and Duties

Section 1. Officers

The officers of the corporation shall be a Chairman, Vice-Chairman, Secretary, and Treasurer. They will serve two-year terms.

Section 2 Chairman

The Chairman shall be the chief volunteer of the organization. S/he shall call and preside at meetings of the members and Board of Directors, shall be an ex officio member of all committees, and shall nominate the members and chairmen of such committees for approval by the Board. S/he shall appoint all standing or ad-hoc committees and their chairpersons. S/he shall, to the fullest extent possible, share his/her duties and authorities with the Vice-Chairman, but in matters of disagreement, the opinion of the Chairman shall prevail.

Section 3. Vice-Chairman

The Vice-Chairman shall exercise the powers and perform the duties of the Chairman in the absence or disability of the latter and shall have such powers and duties as may be prescribed for him by the Chairman or Board of Directors. S/he shall consult with the Chairman to the fullest extent possible and work to carry out such duties and responsibilities as the Chairman requests.

Section 4. Secretary

The Secretary shall be responsible for keeping records of Board actions, including overseeing the taking of the minutes at all Board meetings, sending out meeting announcements, distributing copies of the minutes and the agenda to each Board member, and assuring that corporate records are maintained. S/he shall turn over to his/her successor all records and property belonging to the corporation as s/he may have in his/her possession.

Section 5. Treasurer

The Treasurer shall make a finance report at each Board meeting. Working with the Executive Director, the Treasurer shall have general supervision of the financial records and transactions of the corporation.

Section 6. Executive Director

The Executive Director shall be the chief executive officer of the corporation. S/he shall have the general powers and duties usually vested in the office of President of a corporation including responsibility for planning, supervising and directing the program and operations of the corporation; and s/he shall have such other powers and duties as may be prescribed by the Board of Directors

Article IV Committees

Section 1. Committees

There shall be six standing committees: Executive Committee, Finance/Audit Committee, Advocacy Committee, Communications Committee, Project and Program Committee, and Training and Education Committee. Ad-Hoc Committees may be appointed by the Chairman as required when necessary and appropriate. Committee chairs must be members of the Board of Directors. Committee members may be picked from ESMSC membership.

Section 2. Terms of Office

Each member of a committee shall serve for two years.

Section 3. Executive Committee

The officers of the corporation, plus a member-at-large, serve as members of the Executive Committee. The Executive Committee shall provide general supervision of the affairs of the corporation; develop policies and procedures necessary for carrying out the purposes of the corporation based on input from the Board; set agendas for the general meetings; act on behalf of the corporation during the intervals between general meetings; supervise the Executive Director; and receive and review secretarial, financial, and other reports. The Committee shall report all action taken by it to the Board at the next regular meeting succeeding the taking of such action. The duty of the Member-at-Large is to serve as a representative of the Board to the Executive Committee.

Section 4. Finance Committee

The Treasurer is the chair of the Finance Committee, which includes three other Board members selected by the Chairman. The Finance Committee is responsible for developing and reviewing fiscal procedures, a fundraising plan, and an annual budget by working closely with the Executive Director. The Board must approve the budget and all expenditures must be within budget. Any major change in the budget must be approved by the Board or the Executive Committee. Annual reports are required to be submitted to the Board showing income, expenditures, and pending income.

Section 5. Advocacy Committee

The Advocacy Committee will develop, execute, and implement a comprehensive advocacy agenda to promote ESMMSC's mission and vision.

Section 6. Communications Committee

The Communications Committee will develop, execute, and implement a communications plan to promote ESMMSC's mission and vision.

Section 7. Project and Program Committee

The goals of the Project and Program committee will be to increase the number of collaborative, statewide projects and initiatives, increase the number of state-level champions and sponsors, assist in facilitating collaboration and connection among community partners, fund community-level, evidence-based promising practices, and support statewide evidence-based promising practices.

Section 8. Training and Education Committee

The Training and Education Committee will provide training and conduct needs assessments of community partners to guide future activities.

Article V. Miscellaneous

Section 1. Parliamentary Authority

The Parliamentary authority shall be Robert's Rules of Order, as amended. The rules contained in Robert's Rules of Order shall govern the corporation in all cases to which they are applicable, and in which they are not inconsistent with ESMMSC bylaws or state and federal law.

Section 2. Amendments to Bylaws

The bylaws may be amended by two-thirds vote of the Board of Directors of members present at any of the general meetings of the Board, provided that a copy of the proposed amendment(s) shall have been sent to each member of the Board seven days prior to the meeting at which the amendment will be presented and voted upon.

Section 3. Fiscal Year

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

Section 4. Indemnification and Insurance

ESMMSC shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, or employee of the corporation

against all expenses and liabilities, including, without limitation, counsel fees, judgments, fines, excise taxes, penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which s/he may become involved by reason of his/her service in such capacity; provided that no indemnification shall be provided for any such person with respect to any matter as to which s/he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interests of the corporation; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.

The indemnification provided hereunder shall inure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder. The right of indemnification under this Article shall be in addition to and not exclusive of all other rights to which any person may be entitled.

No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified person under this Article shall apply to such person with respect to those acts or omissions which occurred at any time prior to such amendment or repeal, unless such amendment or repeal was voted by or was made with the written consent of such indemnified person.

This Article constitutes a contract between the corporation and the indemnified officers, directors, and employees. No amendment or repeal of the provisions of this Article which adversely affects the right of an indemnified officer, director, or employee under this Article shall apply to such officer, director, or employee with respect to those acts or omissions which occurred at any time prior to such amendment or repeal.

Section 5. Conflict of Interest

Whenever a Director or Officer has a financial or personal interest in any matter coming before the Board of Directors, the affected person shall a) fully disclose the nature of the interest and b) withdraw from discussion and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested Directors determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

Section 6. No Political Activity

ESMMSC shall not participate in, directly or indirectly, any political campaign on behalf of or in opposition to any candidate for public office. ESMMSC is a bi-partisan corporation and shall not engage in any partisan activities.

Section 7. Nondiscrimination

Section 7. Nondiscrimination

ESMMSC is an equal opportunity employer and shall make available its services without regard to race, creed, age, sex, ethnicity, or national origin.

Section 8. Dissolution

Dissolution will require a two-thirds (2/3) majority vote of the Board of Directors. In the event dissolution is contemplated, at least ten (10) days prior written notice setting forth a proposed action and time and place of meeting shall be given to all Directors. Upon the dissolution of the organization, the officers shall, after paying or making provisions for the payment of all liabilities of the association, dispose of all the assets of the association used exclusively for the purposes of the association, in such manner or to such organization organized and operated exclusively for charitable, educational, or scientific purposes as the officers shall determine, at the time, qualify the association as an exempt organization under the Internal Revenue Code of 1954

CERTIFICATION

This is to certify that the foregoing bylaws Eat Smart Move More South Carolina Nonprofit Organization have been duly adopted by the Board of Directors at a meeting held on December 3, 2009.

Approved: 10/99
Revised: 4/01
Revised: 2/05
Revised: 9/07
Revised: 12/09

I certify that these bylaws are a true and correct copy.



6/3/10

Amy Splittgerber, M.Ed.
Executive Director, Eat Smart, Move More SC

Federal Supporting Statements

2009

Name(s) as shown on return

FEIN

Form 990EZ, Part I, Line 10
Grants and Similar Amounts Paid Schedule

Statement #122

		<u>Amount</u>	<u>Relationship</u>
Activity	Implementation Grant	6,000	
Grantee	SC Breastfeeding Coalition		
Address	320 Stanley Ave		
	Greenwood SC 29649		
Activity	Implementation Grant	4,000	
Grantee	Palmetto Cycling Coalition		
Address	141-F Pelham Dr		
	Columbia SC 29209		
Activity	Implementaion Grant	6,000	
Grantee	SC Department of Agriculture		
Address	PO Box 11280		
	Columbia SC 29211		
Activity	Seed Grant	2,500	
Grantee	USC Healthy Carolina		
Address	1309 Blossom St. McBryde F		
	Columbia SC 29208		
Activity	Seed Grant	2,500	
Grantee	Sumter Co Active Lifestyles		
Address	155 Haynsworth St		
	Sumter SC 29150		
Activity	Seed Grant	2,250	
Grantee	Sara Collins Elementary School		
Address	1200 Parkins Mill Rd		
	Greenville SC 29607		
	Total	<u>23,250</u>	

Federal Supporting Statements

2009

Name(s) as shown on return

FEIN

Form 990EZ, Part I, Line 10 Grants and Similar Amounts Paid Schedule

Statement #122

		<u>Amount</u>	<u>Relationship</u>
Activity	Seed Grant	2,500	
Grantee	SC Dept of Disabilities and Special		
Address	3400 Harden St. Ext PO Box 4706		
	Columbia SC 29240		
Activity	Seed Grant	1,500	
Grantee	Kershaw County Medical Center		
Address	103 Main St S		
	Bethune SC 29009		
Activity	Seed Grant	2,000	
Grantee	SC DHEC Region 6		
Address	2600 Bull St		
	Columbia SC 29201		
Activity	Seed Grant	1,500	
Grantee	The Corporation of For Economic Dev		
Address	116 Wildewood Club Ct		
	Columbia SC 29223		
Activity	Seed Grant	2,500	
Grantee	Medical University of SC		
Address	MUSC Wellness Center Rm SW 273A		
	Charleston SC 29425		
Activity	BITE Grant	3,000	
Grantee	Chesterfield County Coordination		
Address	PO Box 648		
	Chesterfield SC 29709		
	Total	<u>13,000</u>	

Federal Supporting Statements

2009

Name(s) as shown on return

FEIN

Form 990EZ, Part I, Line 10
Grants and Similar Amounts Paid Schedule

Statement #122

		<u>Amount</u>	<u>Relationship</u>
Activity	BITE Grant	3,000	
Grantee	Kershaw Co Medical Center		
Address	1315 Roberts St		
	Camden SC 29020		
Activity	BITE Grant	3,000	
Grantee	The Rock Hill Parks Foundation		
Address	217 South Tryon St		
	Charlotte NC 28202		
Activity	BITE Grant	3,000	
Grantee	Palmetto Health		
Address	PO Box 2266		
	Columbia SC 29202		
Activity	Targeted Project	12,000	
Grantee	SC Hospital Assoc		
Address	1000 Center Point Rd		
	Columbia SC 29210		
Activity	Targeted Project	500	
Grantee	York Technical College Child Deve		
Address	452 S Anderson Rd		
	Rock Hill SC 29730		
Activity	Targeted Project	500	
Grantee	St Giles Preschool		
Address	1021 Hudson Rd		
	Greenville SC 29615		
	Total	<u>22,000</u>	

Federal Supporting Statements

2009

Name(s) as shown on return

FEIN

Form 990EZ, Part I, Line 10 Grants and Similar Amounts Paid Schedule

Statement #122

		<u>Amount</u>	<u>Relationship</u>
Activity	Targeted Projects	500	
Grantee	Black Street Early Childhood Center		
Address	256 Smith St		
	Walterboro SC 29488		
Activity	Targeted Projects	500	
Grantee	Lyttleton Learning Place		
Address	1206 Lyttleton St		
	Camden SC 29020		
Activity	Targeted Projects	8,000	
Grantee	SC Recreation and Parks Assoc		
Address	PO Box 1046		
	Lexington SC 29072		
Activity	Targeted Projects	8,000	
Grantee	SC Breastfeeding Coalition		
Address	320 Stanley Ave		
	Greenwood SC 29649		
Activity	Targeted Project	16,500	
Grantee	SC Department of Agriculture		
Address	PO Box 11280		
	Columbia SC 29211		
	Total	<u>33,500</u>	

Federal Supporting Statements

2009

Name(s) as shown on return

FEIN

Form 990EZ, Part I, Line 16

Other Expenses Schedule 2

Description	Amount
Registrations Fees	518
Bank Fees	73
Walk to School Day	7,650
Assesment Incentive SCORE	1,250
Books Subscriptions	291
Supplies	5,576
Telephone	2,216
Marketing Communication	42,280
Storage	396
Promotional Items	5,073
Travel	8,072
Conference Meeting	8,897
Meals	15,286
Total	97,578

Form 990EZ, Part II, Line 26

Other Liabilities Schedule 3

Description	Beginning of Year	End of Year
Payroll Taxes	780	3,596
Total	780	3,596

Form 990EZ, Part I, Line 20

Other Changes in Net Assets Schedule

Description	Amount
Payroll taxes	(1,494)
Total	(1,494)

Name(s) as shown on return

FEIN

Eat Smart Move More Coalition South Carolina

57-1096619

Part I Line 12 Salaries other compensation and benefits

Description	Amount
Salaries	\$ 69,058
Graduate Assistant	5,841
Payroll Taxes	6,224
Payroll fees	312
Total:	\$ 81,435

Part I Line 13 Professional fees and other payments

Description	Amount
Website Services	\$ 2,021
Outside Contract Services	78,264
Total:	\$ 80,285

Part I Line 15 Printing publications postage and shipping

Description	Amount
Postage	\$ 478
Printing and Copying	12,570
Total:	\$ 13,048

Part III Line 31 Exempt Purpose Achievements

Description	Amount
Targeted Projects conduct projects for healthy lifestyles	\$ 62,500
Walking and biking to school on a regular basis	7,650
Community initiative in Colleton County, SC.	40,047
Total:	\$ 110,197

Form **8868**

(Rev. April 2009)

Department of the Treasury
Internal Revenue Service**Application for Extension of Time to File an
Exempt Organization Return**

OMB No 1545-1709

► **File a separate application for each return.**

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **Part I**
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.**Part I Automatic 3-Month Extension of Time.** Only submit original (no copies needed).A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete Part I only. ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns

Electronic Filing (e-file). Generally, you can electronically file Form 8868 if you want a 3-month automatic extension of time to file one of the returns noted below (6 months for a corporation required to file Form 990-T). However, you cannot file Form 8868 electronically if (1) you want the additional (not automatic) 3-month extension or (2) you file Forms 990-BL, 6069, or 8870, group returns, or a composite or consolidated Form 990-T. Instead, you must submit the fully completed and signed page 2 (Part II) of Form 8868. For more details on the electronic filing of this form, visit www.irs.gov/efile and click on e-file for Charities & Nonprofits.

Type or print File by the due date for filing your return. See instructions.	Name of Exempt Organization Eat Smart Move More Coalition South Carolina	Employer identification number 57-1096619
	Number, street, and room or suite no. If a P.O. box, see instructions. PO Box 3007	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. Irmo, SC 29063	

Check type of return to be filed (file a separate application for each return):

- | | | |
|---|---|------------------------------------|
| <input type="checkbox"/> Form 990 | <input type="checkbox"/> Form 990-T (corporation) | <input type="checkbox"/> Form 4720 |
| <input type="checkbox"/> Form 990-BL | <input type="checkbox"/> Form 990-T (sec. 401(a) or 408(a) trust) | <input type="checkbox"/> Form 5227 |
| <input checked="" type="checkbox"/> Form 990-EZ | <input type="checkbox"/> Form 990-T (trust other than above) | <input type="checkbox"/> Form 6069 |
| <input type="checkbox"/> Form 990-PF | <input type="checkbox"/> Form 1041-A | <input type="checkbox"/> Form 8870 |

- The books are in the care of ► **Amy Splittgerber 40 Village Church Ct, SC 29036**

Telephone No ► **803-941-7050**

FAX No ► _____

- If the organization does not have an office or place of business in the United States, check this box ☐

- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) _____. If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach

a list with the names and EINs of all members the extension will cover.

COPY

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until **08-16**, 20 **10**, to file the exempt organization return for the organization named above. The extension is for the organization's return for.

► ☒ calendar year 20 **09** or► ☐ tax year beginning _____, 20 ____, and ending _____, 20 ____

- 2 If this tax year is for less than 12 months, check reason ☐ Initial return ☐ Final return ☐ Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	\$
3b If this application is for Form 990-PF or 990-T, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	\$
3c Balance Due. Subtract line 3b from line 3a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

EEA

Form **8868** (Rev. 4-2009)