

Constitution and By-laws of the Fairview Cemetery Association

Purpose:

The Fairview Cemetery Association is a non-profit, tax exempt organization whose purpose is to operate a cemetery for public burial and to raise such funds as are necessary for the upkeep of that cemetery and to oversee said upkeep. The Fairview Cemetery Association shall be the trustee of the Fairview Cemetery.

Article I Board of Trustees

Section 1. The Board of Trustees shall consist of thirteen (13) members. Vacancies on the Board shall be filled from either nomination by active Board members or by application of persons interested in the management and upkeep of the Fairview Cemetery. Trustees may only be removed by provisions set forth in the by-laws. The Fairview Cemetery Association does not discriminate due to sex, race, religion, creed, color, national origin, age or sexual orientation.

Article II Officers

Section 1. The officers of this association shall consist of a President, Vice-President, Secretary and Treasurer. All officers shall be elected for a period of one (1) year. The election shall be held at a regular annual meeting held on or before the first Saturday of May of each year.

Section 2. The President shall preside over all meetings, and shall appoint all committees formed by the Board of Trustees.

Section 3. The Vice President shall, in the absence of the President, possess all the authority of the President and shall preside over meetings and conduct association business until the President returns.

Section 4. The Secretary shall keep a record of all meetings of the association and carry on all of its' necessary correspondence and archive all such records.

Section 5. The Treasurer shall have charge of the funds of the association, and keep accurate record of all receipts and disbursements. The Treasurer shall keep receipted bills for all expenditures and shall make no disbursement without the approved signature of the President or the Secretary.

Article III Meetings

Section 1. The Fairview Cemetery Association shall hold three mandatory meetings a year. The first will be held on or before the first Saturday of May. New

Officers will be elected at that time. A second meeting will be held on the Saturday following Memorial Day; the third on or before the first Saturday of October.

Section 2. Additional meeting can be called for any purpose at any time by the President and Secretary or by any three (3) members of the Board of Trustees.

Section 3. All trustees shall have the right to vote on all business items on the agenda.

Article IV Quorum

Section 1. A quorum for a meeting will consist of the members present; but must include at least three (3) of the elected officers in order to conduct business.

Article V Amendments

Section 1. The by-laws of this association may be amended by a two-thirds (2/3) vote of the Board of Trustees present at any meeting where a quorum is present.

Article VI Removal of Officers and Trustees

Section 1. Officers of this association may be removed for malfeasance of office by a vote of two-thirds (2/3) of the thirteen Trustees at a meeting.

Section 2. Trustees may be removed by a majority vote of the members at a meeting if that Trustee has been absent for three (3) consecutive meetings without just cause.

Article VII General Rules of Operation

Section 1. All corner stones in the Fairview Cemetery shall be level with the ground.

Section 2. All shrubbery shall be kept at a maximum of three (3) feet high.

Section 3. All grave decorations, whether real flowers, artificial flowers, or decorative items, must be placed within eight (8) inches of the headstone. Two exceptions will be allowed. During the Memorial Day weekend additional decorations will be allowed; however these decorations must be removed by the Tuesday following Memorial Day. Grave blanket decorations will be allowed during the winter months when the cemetery is not being mowed. Those decorations must be removed by April 15th to allow for mowing of the cemetery.

Section 4. All lots must have corner stones definitely marking the corners of those lots. Lots size in the old section of the cemetery shall be 8 x 8 feet; a double size lot will be 8 x 16 feet. Persons with lots in this section will be responsible with purchasing, placing and maintaining their corner stones. In the new section of the cemetery and any additional property the Trustees may obtain, the lot size will be 12 x 8 feet with a double size lot being 12 x 16 feet. All measurements shall be from outside to inside of the corner stone. The Fairview Cemetery Association shall purchase, place and maintain these corner stones.

Section 5. Any person seeking a burial lot in the Fairview Cemetery must contact the association treasurer to arrange for lot selection and payment of the perpetual care fee

set forth by the Fairview Cemetery Association. No one may be buried in the Fairview Cemetery prior to payment of that fee. The perpetual care fee may be changed at the discretion of the Trustees at any meeting in which a quorum is present. New fees would then take effect sixty (60) days after passage of an increase.

Section 6. No gravedigger shall throw dirt on the grave or lot of another without first spreading a tarp or other proper material in order to control the loose dirt and rock to allow for easy clean up of the dirt and rock during and following burial. All surplus dirt shall be removed within a reasonable time. No trash is to be left in the cemetery. If this procedure is not followed, the Association shall clean up the area and send the gravedigger a bill for that clean up. Said grave digger will not be allowed a dig additional graves until that bill is paid and the grave digger agrees to follow the rules of the Fairview Cemetery Association.

Section 7. Funeral homes, vault companies and monument companies shall take care to not damage burial areas, stones, plantings, or ornamental decorations. No heavy equipment shall be driven across existing graves. Stones or, monuments shall not be moved or pulled up for any reason. Damage to existing graves, monuments, stones, plantings etc., will be repaired by the Association and the persons doing the damage will be billed as previously stated in the by-laws.

Section 8. The Fairview Cemetery Association shall annually contract with persons to mow, trim and maintain the Fairview Cemetery.

Section 9. As of June 5, 2017, no mausoleums or other type of above-ground burial structures which may restrict the caretakers' ability to mow or trim the cemetery will be permitted.

General Agenda for Meetings

Unless otherwise ordered, the order of business of all Association meetings shall be as follows:

1. Roll call
2. Reading of the minutes of the previous meeting
3. Treasurer's report
4. Passage of the Budget (The first meeting of the year)
5. Approval of the payment of bills
6. Election of officers (The first meeting of the year)
7. Committee reports
8. Concerns of the Trustees
9. Old business
10. New Business
11. Remarks to the good of the order
12. adjournment