

## **BY-LAWS**

### **ST. BERNARD CATHOLIC CEMETERY ASSOCIATION**

#### **ARTICLE I. PURPOSES**

This association is hereby formed pursuant to the direction of the Parish Council of the St. Bernard Church, Thief River Falls, to assist and advise St. Bernard Church in the establishment, operation and maintenance of a private cemetery pursuant to Chapter 307 of the Minnesota Statutes.

#### **ARTICLE II. MEMBERSHIP**

Section 1. Membership. Membership in this association shall be limited to the members of the Board of Directors of this association and the Pastor or his designee of St. Bernard Church, Thief River Falls, Minnesota.

Section 2. Termination. Membership in this association shall terminate upon termination as a member of the Board of Directors.

#### **ARTICLE III. DIRECTORS**

Section 1. Appointment of Directors. This association shall have a Board of Directors of not less than three nor more than nine persons who shall be appointed by the Pastor of St. Bernard Church of Thief River Falls, Minnesota. Terms may be served consecutively. A member of the Board of Directors so appointed shall hold office for a term of three years, unless removed from the Board of Directors prior thereto. If the office of any director becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, the Pastor, or his designee, of St. Bernard Church shall choose a successor who shall hold office for the unexpired term in respect of which such vacancy occurred. Any member of the Board of Directors may be removed from the Board by action of the Pastor, or his designee, of St. Bernard Church.

Section 2. Notice of Annual Meeting. The Board of Directors shall hold an annual meeting during the month of September of each year. Notice of the annual meeting shall be given to each director personally or by mail at least 10 days prior to the date of the meeting.

Section 3. Regular Meetings. Regular meetings of the Board of Directors shall be held without notice at such time as a majority of the members of the board may, from time to time determine.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by the President at any time and shall be called by him whenever requested to do so by any member.

Section 5. Notice of Special Meetings. Notice of special meetings may be given to each director personally or by mail at least three (3) days prior to the meeting. The special meeting may be called without notice to the directors if a full board convenes and all agree to the holding of the meeting at such time and place and waive all rights of notice thereof. Any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if done in writing signed by all of the directors.

Section 6. Quorum. At all meetings of the Board of Directors, a majority of the board shall be necessary and sufficient to constitute a quorum for the transaction of business and the act of a majority of the directors present at a meeting at which there is a quorum shall be the act of the Board of Directors.

Section 7. Order of Business. The Board of Directors may from time to time determine the order of business at their meetings.

#### **ARTICLE IV. AUTHORITY OF DIRECTORS**

Section 1. Consent of Parish Council. All action of the Board of Directors shall be subject to the consent and approval of the Parish Council of St. Bernard Church. The Directors shall have such other authority as may from time to time be delegated to it by the said Parish Council.

Section 2. Employees. The Board of Directors shall recommend to the Pastor of St. Bernard Church agents and employees for the operation and maintenance of the cemetery and advise as to their duties.

Section 3. Committees. The Board of Directors may set up such committees, provide rules and regulations therefore, and appoint a chairman thereof as may from time to time be deemed necessary.

Section 4. The Board of Directors shall recommend rules and regulations and procedures for the operation and maintenance of the cemetery.

#### **ARTICLE V. OFFICERS**

Section 1. Executive Officers. The Board of Directors at its first annual meeting shall elect from its own number a President, Vice President and Secretary/Treasurer, who shall hold office for one year and until their successors shall have been qualified in their stead.

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Section 2. Other Officers. The Board may appoint such other officers and agents, as it shall deem necessary from time to time who shall hold office for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Board.

Section 3. President. The President shall be the chief executive officer of the association and preside at all meetings of the directors. He (She) shall have general active management of the business of the association and shall see that all orders and resolutions of the board are carried into effect.

Section 4. Vice President. The Vice President shall in the absence or disability of the President, perform the duties and exercise the powers of the President and shall perform such other duties as the Board of Directors shall prescribe.

Section 5. Secretary/Treasurer. The Secretary/Treasurer shall attend all sessions of the Board of Directors and all meetings of the members and record all votes and minutes and all proceedings in a book kept for that purpose. He (She) shall give or cause to be given notice of all meetings of the Board of Directors and shall perform such other duties as prescribed by the Board of Directors. The Secretary/Treasurer shall have the custody of the association funds and securities and shall keep full and accurate account of the receipts and disbursements in books belonging to the association and shall deposit all monies and valuable effects in the name and to the credit of the association in such depositories as may be designated by the Board of Directors. He (She) shall disburse funds of the association as may be ordered by the Board, taking proper vouchers of such disbursements, and shall render to the President and Directors, at the regular meetings of the Board, or whenever they may require it, an account of all transactions as Secretary/Treasurer and of the financial condition of the association.

Section 7. Administrator. In addition to the officers hereinbefore provided, the Board of Directors of St. Bernard Church may appoint an Administrator for the association. The Administrator shall keep track of all burials.

Section 8. Vacancies. If the office of any executive officer, except Secretary/Treasurer or Administrator, become vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, the directors then in office, although less than a quorum, by majority vote may choose a successor or successors who shall hold office for the unexpired term with respect to which such vacancy occurred.

#### **ARTICLE VI. COMPENSATION OF DIRECTORS AND OFFICERS**

Section 1. Compensation for directors. The Secretary/Treasurer and Administrator shall be paid compensation for their services rendered as directors including reimbursement of expenses.

#### **ARTICLE VII. CORPORATION RECORDS**

Section 1. Records. The Board of Directors shall keep a complete record of all their minutes and acts and proceedings of the members and present a full and accurate statement at the regular annual meeting of the Board of Directors.

#### **ARTICLE VIII. FINANCES**

Section 1. Checks. All disbursements shall be by check signed by those persons designated by the Pastor of St. Bernard Church.

Section 2. Budget. An annual budget for the cemetery shall be approved by the Parish Council of St. Bernard Church.

Section 3. Legal Documents. The Pastor and Parish Trustees of St. Bernard Church shall sign all legal documents and papers for and on behalf of the association.

#### **ARTICLE IX. AMENDMENTS**

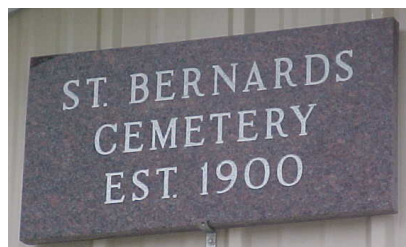
Section 1. Amendments to By-Laws. These By-Laws may be amended by a majority vote of the members in attendance at an annual or special meeting called for that purpose, provided such amendments are approved by the Parish Council of St. Bernard Church.



# **St. Bernard's Catholic Cemetery**

**Rules and Regulations**

Date: January 1, 2017



# St. Bernard's Catholic Cemetery

Rules and Regulations

Date: January 1, 2017

## General Rules

The Church of St. Bernard's of Thief River Falls is a part of the Diocese of Crookston and is a religious organization organized and existing under the Laws of the State of Minnesota. The Cemetery is owned by St. Bernard's Church and operated by St. Bernard's Cemetery Board of Thief River Falls, in accordance with the rules and discipline of the Roman Catholic Church, the Statutes of the Diocese of Crookston, and the laws of the State of Minnesota. St. Bernard's Cemetery Board shall be the agent of the parish for the administration of the business of St. Bernard's Cemetery.

The St. Bernard's Cemetery Board hereby expressly reserves the right to adopt additional rules and regulations, to amend, alter, or repeal any rule, regulation, article, section, paragraph, or sentence of these General Rules and Regulations at any time, and without notice.

The perpetual care of the Cemetery shall be assumed by the St. Bernard's Cemetery Board. The term "perpetual care" shall be construed to mean the cutting of grass, the cleaning of grounds, the planting and pruning of shrubs and trees which may be placed by the board, and general preservation of the grounds and property of the cemetery as long as it shall be used as a cemetery. The perpetual care assumed by the board shall in no way include repair of normal weathering of the faces of stone monuments or markers, or repair of markers that are damaged caused by vandalism or inclement weather. The perpetual care assumed by the Cemetery Board shall include reasonable efforts in keeping monuments and markers level and above ground.

## Interments

1. The Cemetery shall be open for interments at reasonable hours every day of the year.
2. Winter burials may be done at the request of the family. Burials done after November 15 will be charged a higher fee for grave opening depending upon weather conditions and backhoe access.
3. The burial of an infant may take place on the top of a grave of a deceased relative. Burial may also take place in the baby section of the cemetery.
4. All interments shall be made at a time and in a manner, and upon charges fixed by the Board. Fees shall be paid to the Cemetery Board secretary or treasurer.
5. Only authorized personnel shall dig graves.

## Vaults

1. All burials are required to use an outer burial container. Wood is not permitted, but material such as concrete and fiberglass are acceptable.

## Cremated Remains

1. Cremated remains may be buried in any lot of the cemetery. Not more than two cremains may be buried in one standard size lot.
2. The cremated remains of a single individual may be buried above an existing burial

## Monuments/Markers

1. If an upright stone is already in place on the gravesite, another may not be erected, but a second footstone may be placed on the gravesite.
2. Foot markers shall be set **flush** in cement with at least a four-inch cement border.
3. No monumental work of any kind shall be placed on any lot unless the Burial Rights have been paid.
4. Only authorized personnel shall do cement work.

## Grave decorations/plantings

1. The Board shall have the right to remove without notice all plantings, emblems, floral designs, frame baskets, and any and all other objects as soon as they become unsightly, dangerous, detrimental or diseased.

*Inquiries may be made to St. Bernard's Cemetery Administrator, Gerry DeHaan at 681-7478 or St. Bernard's Parish Office at 681 3571*

## Cemetery Property

Adult Cemetery Lot	\$500
Babyland Lot	\$200
Columbarium Niche	\$1,200
(includes name plate for niche)	

## Opening/Closing

Children under age 10	\$300
Adult Grave Opening/Closing – Summer	\$600
Adult Grave Opening/Closing – Winter	\$800
Additional Saturday, Sunday, or Holiday Fee	\$200
(Summer/Winter)	

## Cremation

Grave Opening/Closing	\$300
Additional Saturday, Sunday or Holiday Fee	\$200
(Summer/Winter)	

## Monuments/Markers

Setting of Markers & Monuments:	
Lot Identification	\$50
delivered in cement or granite base	\$100

*Prices are effective January 1, 2017 and are subject to change without notice.*