

**HILL WEST CEMETERY ASSOCIATION
Montgomery, Vermont**

Minutes of the 2017 Annual Meeting

Held at 6:00pm on Tuesday, 27 June 2017

Home of Douglas & Irene Jewett

5 Mullen Avenue, Richford, Vermont

Formal actions of the meeting are noted in italics.

The meeting was called to order at 6:13pm by President Jeffrey Jewett.

Members Present: Jeffrey Jewett, Wayne Jewett, Titus Presler, Kathy King, Irene Jewett, Gary Jewett, Earl Lumbrá, Nancy Lumbrá.

2015 Annual Meeting Minutes were presented by Clerk Titus Presler. It was noted that the amount of the certificate deposit had been misstated: it was \$16,564.36 (not \$16,654.36). *The minutes were accepted with that correction.*

Membership List was circulated by the Clerk for review by the members present. It was suggested that Steven Rivers and Jeff Lawyer should be approached to be active members.

Cemetery Plot Assignments: Nancy Lumbrá volunteered to compile an electronic record of all cemetery plot assignments and their associated members. Resources for this will include the records of plot sales, Association membership lists, and the map of cemetery plot assignments.

Cemetery Consolidation Proposal: The Clerk noted that he had submitted an Association report to the 2017 Montgomery Annual Town Meeting, that Treasurer Kathy King had done the same for the Association's finances, with the help of Town Clerk Deanna Robataille, and that both reports had been published in the Town Report, on pages 49 and 50. The Clerk's report had been circulated to all members on the reverse of the notice for the Association's 2017 Annual Meeting.

The Clerk reported that the agenda for the 2017 Montgomery Annual Town Meeting included, as Item 10, the following: "Shall the town direct the Selectboard to investigate the consolidation of all Cemetery Commissions into one general Commission with oversight of all town-owned cemeteries?" Minutes of the Annual Town Meeting stated: "Motion passed by voice vote following discussion."

In discussion, Association members recalled that town care of Hill West Cemetery prior to 1963 consisted of two mowings a year with a scythe and that the cemetery had fallen into disrepair, that Jewett family members renovated the cemetery thereafter, and that the current good condition of the cemetery was due to the

Association's diligent stewardship over the decades. *When the President asked each member present to state their view of the consolidation proposal, all present stated their opposition to the proposal.*

Treasurer's Report was presented by Treasurer Kathy King:

Checking Account: Balance as of January 2017	\$1,194.14
Income:	
Dues & donations received since June 2016	255.00
Mowing contributions from Town (for 2 years)	300.00
Interest received	99.39
Expenses:	
Mowings (7)	525.00
Cornerstones	120.00
Returned Check fee	20.00
Savings Account: Balance as of June 2017	870.70
Perpetual Care donation	200.00
Certificate of Deposit: Balance as of June 2017	16,564.36
4-year term. Issued 7/25/15. Matures 7/25/19	

Discussion of various financial matters ensued:

- Dues and donations are deposited in the checking account, which is used for current upkeep, which includes 8 or 9 mowings per year at \$75 each. However, Vice President Wayne Jewett, who does the mowing, often donates one or two mowings. Town of Montgomery commits to two mowings, but must be billed for such.
- Perpetual Care donations are kept in the savings account until the CD matures, and then they can be added to the CD. Ordinarily, lot sales are designated for perpetual care and are deposited in the savings account until they can be added to the CD. The principal of the CD must be maintained, while the interest, currently very low, accrues to the checking account for current expenses.
- *It was agreed that the accounts should be reviewed before the annual financial report is submitted to Montgomery for the Annual Town Report. Earl Lumbra and Gary Jewett agreed to carry out this review.*

The financial report presented by the Treasurer was accepted.

Cemetery Condition: It was agreed that the cemetery is in good condition. The meeting expressed gratitude to Wayne Jewett for two mowings donated free of charge. It was agreed that the oak tree on the west side of the cemetery should be left undisturbed.

Election of Officers and Trustees:

- President: Gary Jewett nominated Jeffrey Jewett, and Earl Lumbra seconded the nomination. *Jeffrey Jewett was elected unanimously.*

- Vice President: Current Vice President Wayne Jewett indicated he would be reluctant to serve as President if the President were unable to serve. Gary Jewett nominated Earl Lumbra, and Titus Presler seconded the nomination. *Earl Lumbra was elected unanimously.*
- Clerk: Gary Jewett nominated Titus Presler, and Nancy Lumbra seconded the nomination. *Titus Presler was elected unanimously.*
- Treasurer: Gary Jewett nominated Nancy Lumbra, and Kathy King seconded the nomination. *Nancy Lumbra was elected unanimously.*
- Trustees: Gary Jewett nominated all the current trustees and Nancy Lumbra seconded the nomination. *The current trustees were re-elected: Douglas Jewett, Wayne Jewett, Gary Jewett, Earl Lumbra, Michael Jewett, Titus Presler, and Nancy Lumbra.*

The meeting unanimously expressed thanks to Wayne Jewett for his service as Vice President and to Kathy King for her service as Treasurer.

The President stated that he would work with the former Treasurer and new Treasurer to ensure an orderly transition for the bank accounts and financial records.

Bylaw Revision: The Clerk reviewed how the Hill West Cemetery Association Bylaws – the current version of which dates from May 1968, with a few amendments since then – needed updating to correct anomalies and better reflect current conditions and practices. He noted that Bylaws Article 9 says: “These Bylaws may be repealed, altered or amended at any meeting of said Association, by a majority vote of all members present, provided that a notice of such proposed amendments shall have been given in the notice of such meeting.” He reviewed the fact that the Association’s 2016 Annual Meeting had discussed in detail a number of specific possible changes and had agreed that a general re-drafting of the bylaws was in order.

The Clerk presented a proposed revision of the Association Bylaws and reviewed it in detail, section by section. Major changes included: a statement of the Association’s purpose (previously lacking); a statement that the Association operates the cemetery on behalf of the town, which owns the land (previously lacking); inclusion of the officers alongside the trustees in the cemetery’s management; staggered two-year terms for officers and trustees; fuller descriptions of officers’ duties and accountability to the town; responsibilities of the Annual Meeting (previously lacking); clarification of quorum; and clarification of use of plot sale funds.

Wide-ranging discussion took place. It was agreed to delete the third sentence of section 6.5, regarding the Perpetual Care Fund, thereby retaining the restriction that only the interest from this fund can be used for operating expenses. *With that one change, the proposed revision of the Bylaws was approved for presentation to a Special Meeting of the Association, to be held later in 2017.* It was noted that, in

accordance with the current Bylaws, the full text of the proposed revision must be circulated to all members with the notice of the Special Meeting.

The revised Bylaws are appended to these minutes.

Cemetery Rules Revision: The Clerk noted that a brief set of rules had traditionally been attached to the plot sale form and that it did not include a number of rules that historically have been in effect for Hill West Cemetery, certain provisions common to the rules of other cemeteries, and certain provisions agreed upon at the Association's 2016 Annual Meeting, such as the number of burials and cremations allowed in a single plot. He also noted that certain matters, such as the price of cemetery plots, are more appropriate for the rules than for the bylaws.

A proposed draft of Rules for Cemetery Lots and Burials was presented and discussed. *The proposed Rules were approved unanimously for presentation to a Special Meeting of the Association, to be held later in 2017.*

The revised Rules are appended to these minutes.

The meeting was adjourned at about 8:10pm. Host Irene Jewett served refreshments.

Respectfully submitted,



Titus L. Presler, Clerk

Appendices:

- Proposed revision of Bylaws of Hill West Cemetery Association
- Proposed revision of Rules for Cemetery Lots and Burials

**HILL WEST CEMETERY ASSOCIATION
Montgomery, Vermont**

BYLAWS

This proposed revision of the Bylaws was approved by the Annual Meeting of the Hill West Cemetery Association on 27 June 2017 for presentation to and final action by a Special Meeting of the Association at a future date.

Article 1: Purpose and Auspices

1.1 Purpose: The Hill West Cemetery Association exists in order to coordinate burials in Hill West Cemetery and to provide perpetual care for the graves located in the cemetery.

1.2 Auspices: The cemetery is located on land owned by the Town of Montgomery, and the Hill West Cemetery Association operates the cemetery on behalf of the town.

Article 2: Membership

All parties that have purchased plots in Hill West Cemetery are members of the Hill West Cemetery Association.

Article 3: Management

The affairs and premises of the Association shall be managed by the officers of the Association in collaboration with the Association's Board of Trustees.

Article 4: Board of Trustees

3.1 Trustees: The Board of Trustees shall consist of not less than three or more than seven Association members, who shall be elected by members of the Association at the Annual Meeting of the Association.

3.2 Terms: The term of office shall be two years, with terms staggered so that approximately half of the Trustees are elected one year, and the other half the next year.

3.3 Meetings: The Board of Trustees shall meet as needed. Trustee meetings require one week's notice given by the Clerk and mailed to each of the Trustees. A majority of the Trustees shall constitute a quorum for the transaction of business.

Article 5: Officers and Duties

4.1 Officers: The officers of the Association shall consist of a President, a Vice President, a Clerk, and a Treasurer. The positions of Clerk and Treasurer may be held by the same person. The officers shall be elected by the Association members at the Annual Meeting. Officers' terms shall be for two years. The President and the Clerk shall be elected one year, and the Vice President and the Treasurer shall be elected the next year.

4.2 President: The President shall preside at all meetings of the Association and shall perform such other duties as are required by law or may be requested by the Board of Trustees or by the Select Board of the Town of Montgomery.

4.3 Vice President: The Vice President shall preside at meetings of the Association in the absence of the President and shall perform such other duties as are necessitated by the absence of the President.

4.4 Clerk: The Clerk shall keep a record of all meetings of the Association and the Trustees, and shall keep a record of Association members and cemetery plot sales. The Clerk shall file an annual report for the Montgomery Annual Town Meeting. The Clerk shall perform such other duties as are required by law or may be requested by the Board of Trustees or by the Select Board of the Town of Montgomery.

4.5 Treasurer: The Treasurer shall keep the financial records of the Association and shall be the custodian of the funds and property of the Association. The Treasurer shall file an annual financial report for the Montgomery Annual Town Meeting. The Treasurer shall perform such other duties as are required by law or may be requested by the Board of Trustees or by the Select Board Town of Montgomery.

Article 6: Association Meetings

5.1 Annual Meeting: The Annual Meeting of the members of the Association shall be held any time after May 1 that is convenient for the officers and members of the Association, the time and place to be determined by the Officers and Board of Trustees.

5.2 Notice: Notice of the annual Meeting shall be given by the Clerk at least two weeks before the meeting is held by mailing to each member a notice addressed to his/her permanent address or by publication in the local newspaper.

5.3 Responsibilities of Annual Meeting: The Annual Meeting of the Association shall consider the minutes of the previous meeting, hear reports from the officers and the Board of Trustees, and elect officers. The Annual Meeting shall consider any changes proposed to the Cemetery Rules, the Bylaws, plot sale price, or annual dues, and shall consider any other business that may be brought to it.

5.4 Special Meetings: Special Meetings of the Association may be called in the same manner as the Annual Meeting by the President or a majority of the Board of

Trustees. A Special Meeting shall be called by the Clerk upon petition in writing of any ten members of the Association. Notice of any Special Meeting shall contain a statement of the business to be transacted at such meeting, and no business other than stated in the notice shall be acted upon at such meeting.

5.5 Quorum: Seven members of the Association shall constitute a quorum at any meeting, regular or special.

Article 7: Finances

6.1 Use of Funds: All funds from annual dues, donations, sale of cemetery plots, and interest from the Perpetual Care Fund shall be used for the care of plots and for the upkeep of the cemetery as a whole. Such care and upkeep shall include, but not be limited to, mowing, removal of weeds and saplings, re-erection of leaning or toppled memorial stones, and maintenance of equipment, equipment shed, fencing and signage.

6.2 Plot Sales: The Association shall establish the price of cemetery plots, which shall include the purchase and installation of corner stones. The Association may change the price from time to time.

6.4 Use of Plot Sale Funds: At the discretion of the Board of Trustees, funds from the sale of cemetery plots may be retained for operating expenses or may be added to the Perpetual Care Fund.

6.5 Perpetual Care Fund: The Perpetual Care Fund consists of money from cemetery plot sales that is pooled in a single investment, typically a certificate of deposit. Ordinarily, only the interest from the Perpetual Care Fund may be used for cemetery operations.

6.6 Annual Dues: Every member of the Association shall contribute annual dues to the Association. The level of expected dues shall be determined by the Annual Meeting, which may change the amount from time to time. Dues are voluntary in the case of plots in the Perpetual Care Fund.

6.7 Audit: An audit of the finances of the Association shall be conducted annually.

Article 8: Bylaws Revision

These bylaws may be repealed or amended at the Annual Meeting of the Association or at a Special Meeting, by a majority vote of all members present, provided that a notice of such proposed amendments shall have been given in the notice of such meeting.

HILL WEST CEMETERY ASSOCIATION
Montgomery, Vermont

Rules for Cemetery Lots and Burials

Approved by the Annual Meeting of the Hill West Cemetery Association, 27 June 2017, for presentation for final action to a future Special Meeting of the Association.

The Hill West Cemetery Association stands ready to assist you with questions related to your cemetery lot. You may call Association President Jeff Jewett: cell 802-393-7249.

(1) Each lot or block of lots purchased as a unit is required to have four cornerstones to mark the boundary of the lot(s) purchased. The cost of the cornerstones is included in the lot purchase fee of \$525, and their installation will be arranged by the association.

(2) No more than two persons in caskets may be buried in any 10-foot-by-10-foot lot. This applies to infants and children as well as to adults.

(3) As is the case with the burial of bodies in caskets, burial of cremation remains must be registered with the Town Clerk. No more than six cremation remains may be buried in any 10-foot-by-10-foot lot.

(4) Whether burial is of bodies or of cremation remains, no more than two headstones may be erected on any 10-foot-by-10-foot lot.

(5) Every burial lot must be marked with a headstone after a burial of a body or cremation remains has occurred. Headstones may also be erected before any burial has occurred, but that is not required. Dimensions and materials for headstones must be such as are approved by the cemetery association, but must in all cases be stone (not concrete or any other material).

(6) The association is responsible for the upkeep of the cemetery, including mowing grass, trimming tree limbs, maintaining the fence and sign, and the like. Necessary expenses are supported by lot fees, annual dues, and donations.

(7) Shrubs, trees, curbs or fencing may not be installed on any lot, and the association may remove any such items. The association may remove temporary decorations, such as flags and flowers, when they wear out.

(8) All persons who have purchased lots are members of the Hill West Cemetery Association. Dues are \$5 per year, and donations are welcome. Dues and donations may be sent to: Hill West Cemetery Association Treasurer, 1151 Gibou Road, Montgomery, VT 05471. The association's Annual Meeting is held in June each year, and all association members receive advance notice, by US Postal Service, of the date of the Annual Meeting and any Special Meeting.

Approved by the Annual Meeting of the Hill West Cemetery Association, 27 June 2017