

**HILL WEST CEMETERY ASSOCIATION
Montgomery, Vermont**

Minutes of Special Meeting

Held at 7:00pm on Tuesday, 19 September 2017
Home of Earl and Nancy Lumbra
1151 Gibou Road, Montgomery, Vermont

Formal actions of the meeting are noted in italics.

The meeting was called to order by President Jeffrey Jewett.

Members Present: Irene Jewett, Gary Jewett (Trustee), Jeffrey Jewett (President & Trustee), Earl Lumbra, (Vice President & Trustee), Nancy Lumbra (Treasurer & Trustee). Titus Presler (Clerk & Trustee). It was noted that, according to the current Bylaws, there was a quorum to transact business.

Remembrance: The passing of longtime President Douglas Jewett on July 15 at the age of 89 was remembered, and condolence was offered to Irene and other members of the family.

Meeting Notice: The Clerk noted the following preparations for the Special Meeting: Minutes of the 2017 Annual Meeting had been posted on the Town of Montgomery website and on the two municipal bulletin boards, together with the draft revised Bylaws and Rules. Notice of this meeting and its agenda of considering and taking final action on the draft revised Bylaws and Rules had been sent by US Post to all Association members, together with the draft revised Bylaws and Rules, and these documents had been posted on the Town of Montgomery website and municipal bulletin boards. The Clerk noted that, according to the current Bylaws (and the revised Bylaws as well), only the matters specified on the notice for the Special Meeting could be considered at this meeting.

2017 Annual Meeting Minutes were presented by Clerk Titus Presler. It was noted that the minutes presented at that meeting were the 2016 Annual Meeting minutes (not the 2015 Annual Meeting minutes). *The minutes were accepted with that correction.*

Draft Revised Bylaws: The draft revision of the Bylaws was considered, paragraph by paragraph, and compared with the current Bylaws. There was consensus on one change in the draft revision: Article 4.3: Trustee meetings require 10 days notice (not one week) given by the Clerk. Also, typographical errors in the numbering of the articles in the Bylaws will be corrected. Gary Jewett moved approval of the draft, seconded by Earl Lumbra. *The revised Bylaws were approved unanimously.*

Draft Revised Rules: The draft revision of the Rules was considered, item by item. Several matters of implementation were discussed, such as registration of

cremation remains with the Town Clerk and details of "green burials," but no changes were made. Gary Jewett moved approval of the Rules, seconded by Nancy Lumbra. *The revised Rules were approved unanimously.*

The stated agenda of the meeting having been fulfilled, President Jeffrey Jewett adjourned the meeting.

A handwritten signature in black ink, appearing to read "Titus L. Presler". The signature is written in a cursive style with a large initial "T".

Titus L. Presler
Clerk

**HILL WEST CEMETERY ASSOCIATION
Montgomery, Vermont**

BYLAWS

As approved by a Special Meeting of the Association on 19 September 2017.

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

4.1 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.

4.2 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.

4.3 Meetings: The Board of Trustees shall meet as needed. Trustee meetings require ten days' 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

5.1 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.

5.2 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.

5.3 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.

5.4 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.

5.5 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

6.1 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.

6.2 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.

6.3 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.

6.4 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.

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

Article 7: Finances

7.1 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.

7.2 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.

7.4 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.

7.5 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.

7.6 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.

7.7 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

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.

Rules for Cemetery Lots and Burials

As approved by a Special Meeting of the Association on 19 September 2017.

(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.