

By-Laws of the Bohemian National Cemetery Association

This Society is organized under the name of the Bohemian National Cemetery Association of Rich Valley Township, McLeod County, Minnesota.

- I. Purpose of the Society is to provide a fitting burial place or places for its members and their assignees; to improve the cemetery and maintain it in the best possible order.
- II. Membership:
 - A. A person becomes a member when he buys a burial place or places at the Bohemian National Cemetery or when he inherits it. He agrees to abide by the By-Laws and Regulations of the Society. Membership ceases when the member dies or no longer owns the lot.
 - B. Each burial plot is assigned to the family of the owner or his assignees, and no one may sell or give away any part of it except with the knowledge and permission of the Association. Such transfers shall be recorded in the Secretary's book. In the event of the death of a member, his heir may lawfully assume his place as a member of the Association. The following condition shall apply when lot owners sell a burial plot to another party:
 1. Sale price may not exceed current burial plot price
 2. Buyer pays transfer and service charges equal to 5% of the purchase price to the cemetery
 3. Twenty five (25) % of the sale price is paid to the cemetery for perpetual care.
 4. Example: A lot is sold to another individual for \$500.00. The buyer would pay the seller \$375.00 and pay the cemetery \$125.00, plus \$25.00 for transfer and service charges.
 - C. Succession of ownership: Upon the death of a lot owner, the lot, unless disposed of by will, shall descend as follows:
 1. Surviving Spouse.
 2. Eldest living child.
 3. Eldest sibling.
 4. If there is no surviving spouse, child or sibling of the decedent, then such lot shall descend to the Association and be held in trust for the decedent and such of his relatives as the Executive Board shall deem proper. The Association may grant and convey such lot to any legal heirs as defined by Minnesota statutes, and such grantor shall be deemed the legal owner thereof.
- III. Rights and Duties of Officers: The officers of the Association shall be a President, Vice-President, Secretary, Treasurer and three Trustees. These officers shall constitute the Executive Board.
 - A. Executive Board
 1. I. The Executive Board shall have supervision of all funds and properties.
 2. They shall select or hire a caretaker and grave-digger.
 3. They may spend up to \$1000. Any amount over \$1000 must have the approval of the members at a regular or special meeting.
 - B. President
 1. The President shall preside at all meetings, keep order, and see that the rules and regulations are fulfilled.
 2. He shall sign all documents and verify by his signature the accuracy of the secretary's and treasurer's books.
 3. He shall keep an up-to-date copy of the cemetery map, and a copy of the treasurer's records.
 4. He shall ascertain that all records are kept in a safe place.
 - C. The Vice-President has all the rights and duties of the President in his absence.
 - D. Secretary
 1. The Secretary shall record the business of each meeting.

2. Shall keep a list of all members.
 3. Shall take care of all correspondence for the Association.
 4. Shall place notices of all meetings in whatever media is agreed upon.
- E. Treasurer
1. The treasurer receives all Association money and pays all bills approved by the Society.
 2. Makes a statement of all receipts and disbursements at the annual meeting.
 3. Keeps a list of all members and collects dues and assessments from them.
 4. Keeps an up-to-date map of the cemetery and sells plots at prices agreed upon by the Association.
- F. Trustees
1. The Trustees shall inspect the cemetery property and recommend repairs and improvements.
 2. They shall hear complaints and recommendations from members and bring said complaints and recommendations before the Executive Board.
 3. They shall work with other officers for the good of the Cemetery Association.
- IV. Terms and means of Electing Officers.
- A. President, Vice-President, Secretary and Treasurer shall each be elected to serve a two-year term.
1. President and Treasurer shall be elected on odd-numbered
 2. Vice-President and Secretary shall be elected on even-numbered years.
- B. Trustees shall each be elected for a term of three years, one trustee shall be elected each year.
1. At the first election after ratification of these By-Laws, one trustee shall be elected for one year, one trustee shall be elected for two years and one trustee shall be elected for three years. After that, each year one trustee shall be elected for three years.
- C. In the event of the death or resignation of an officer during his term of office, the Executive Board shall appoint another to fill the unexpired term.
- V. Meetings and business proceedings.
- A. The Association shall hold an annual meeting at a time and place to be set by the officers. At this meeting, the following items should be discussed:
1. Plans for improving and repairing the cemetery and buildings shall be discussed and voted on.
 2. Any other business and reports that may rightfully be brought before the meeting.
 3. Reports shall be given of work accomplished
 4. Officers shall be elected.
 5. Bills and salaries shall be paid, and salaries and fees for the following year shall be approved.
- B. A Special Meeting may be called on the written petition of ten (10) members and/or the officers.
- C. Order of business at meetings:
1. President shall call meeting to order at the appointed time or when five (5) or more members and the officers are present.
 2. Secretary shall read minutes of last meeting.
 3. Treasurer shall report all income and expenses since last meeting and the balance on hand.
 4. Report of members lost by death or removal.
 5. Report of new members.
 6. Reading of correspondence.
 7. Presenting of unpaid bills.
 8. Report of special committees.
 9. Old business.
 10. New business
 11. Election of officers.
 12. Adjournment of meeting.
- VI. Rights and duties of members:

- A. It is the duty of members to attend meetings. They have the right to participate in the affairs of the Association.
 - B. A member may be represented by a proxy if he cannot be present at a meeting.
 - C. Members have the right to veto decisions of the Executive Board. The motion must be carried by a two-thirds majority of members present at the meeting.
 - D. Each member is expected to deport himself well in the meeting, to speak soberly and only when acknowledged by the President.
 - E. A member may speak but twice to make his point if others wish to speak on the same subject. If he wishes to speak further on the same subject, he must have the permission of those present.
 - F. Each member has the right to examine the books of all officers and to bring to the attention of the Association any irregularities he may find.
 - G. A motion must be seconded and discussed before it can be voted on.
 - H. All dues and assessments must be paid in full before burial is permitted.
- VII. Perpetual Care: A Fund shall be set up wherein all Perpetual Care payments are deposited. Interest from this fund may be used for cemetery purposes, but none of the principal may be spent without the permission of three-fourths ($\frac{3}{4}$) of the entire membership of lot owners.
- A. The Executive Board may transfer all or part of the Perpetual Fund from one financial institution to another if it is advantageous to the Cemetery Association.
 - B. All members who have paid Perpetual Care on their lots will have the grass cut as often as necessary for a neat appearance; settling graves will be filled with good dirt, and seed grass applied on new graves.
- VIII. General rules for the upkeep of the cemetery.
- A. The Caretaker cuts the grass as often as necessary to keep a neat appearance in the cemetery, trims around monuments, trees and beds close to the monuments. He is not expected to trim around artificial bouquets or to weed flowers.
 - B. The Grave-Digger is responsible for opening graves and for closing them on the day of burial; for correcting any damage incurred in digging and for adding black dirt to the graves as they settle.
 - C. A grave for a child up to ten years of age must be at least four feet deep; for an adult it must be five feet deep.
 - D. A cement vault is required for each adult grave to avoid excessive settling.
 - E. After extremely cold weather or heavy snow, the use of a holding vault is recommended. Winter burials will depend on circumstances such as accessibility to the plot, location of the grave, weather conditions and the willingness of the family to assume the extra cost of Snow Removal and Use of Equipment.
 - F. In the south addition, grave sites shall be sold individually, as many as requested, in orderly succession, and at a price agreed upon by the Association. Half of the amount will be deposited in the Perpetual Care Fund and half in the General Fund.
 - G. Each burial place in the south addition measures five by twelve feet.
 - H. Monuments and markers on the south section may not be higher than six inches above ground level, including base.
 - I. All monuments and markers are the responsibility of the owners.
 - J. Flowers may be planted in a small bed next to the monument or marker.
 - K. No trees or shrubs may be planted on lots except by the permission of the Association at the annual meeting.
 - L. If flowers, shrubs or trees interfere with any neighboring lot and the owner does not remove them, the Board will do whatever pruning or cutting is necessary.
 - M. Artificial flowers should be fastened to the monument. Any that are thrust into the ground will be removed ten (10) days after Memorial Day.
- IX. The By-Laws may be changed or amended in meeting by a two-thirds majority vote of those present.
- A. With these new By-Laws becoming effective on this date, all earlier By-Laws become void.

Approved by the members on March 23, 2012
 Robert Nunvar, President
 Tony Kadlec, Vice President
 Jolen Bentz, Secretary
 Robert Nunvar, Treasurer