

## ORDINANCE 12-02

### AN ORDINANCE ADOPTING THE CREATION OF THE TOWN OF ELK MOUNTAIN CEMETERY BOARD AND BY-LAWS

**WHEREAS**, the Governing Body of the Town of Elk Mountain has determined that it is the best interests of the citizens of the Town of Elk Mountain to create a Cemetery Board; and

**NOW, THEREFORE**, be it ordained by the governing body of the Town of Elk Mountain, State of Wyoming, these bylaws be adopted and this board is created as the Town of Elk Mountain Cemetery Board; and

**WHEREAS**, there is hereby created and established a Cemetery Board for the Town of Elk Mountain, which shall consist of 5 members being, who will be appointed by the Mayor with the approval of the Town Council; and

**WHEREAS**, the term of the members of the Cemetery Board shall be two (2) years except that the initial term of 3 members shall be for one (1) year. In the event of a vacancy of any member, a successor shall be appointed by the Mayor for the unexpired portion of the term; and

**WHEREAS**, the Cemetery Board shall elect from the members a Commissioner and shall elect other officers as it deems necessary. The term of the elected officers shall be one (1) year or until a successor is legally appointed. The board shall abide by the internal controls of the Town of Elk Mountain to conduct any business and transactions. All members are responsible to the Town Council; the Chairperson shall make periodic reports to the Town Council; and

**WHEREAS**, the Cemetery Board shall hold meetings on a regularly scheduled basis. Special meetings may be called at any time by the Chairman or by a majority on the board with proper notice provided to all board members. Any action of the Cemetery Board shall require a majority vote of at least a quorum of the board. 3 voting members of the board shall constitute a quorum. Each member has one vote. Proxy votes and absentee ballots shall not be permitted; and

**WHEREAS**, the Cemetery Board shall keep a record of its resolutions, transactions, findings and determination, all of which shall be public record; and

**WHEREAS**, any member of the Cemetery Board may be removed, after a public hearing, before the Town of Elk Mountain Council for inefficiency, neglect of duty or malfeasance in office, by a two-third (2/3) vote of the town council; and

**WHEREAS**, a member's position may become vacant when:

- A member misses 4 consecutive regular meetings without good cause
- A member moves out of town
- A member resigns
- A member's term expires

When a position becomes vacant, the board shall notify the Mayor that a replacement needs appointed; and

**WHEREAS**, the Cemetery Board funding shall remain in the Town of Elk Mountain budget. All billing and expenditures shall be handled by the town Clerk /Treasurer and must be accompanied by receipts or invoices reviewed and signed by board officers. No exceptions will be made; and

**WHEREAS**, the purpose of the Cemetery Board shall be to:

- Keep accurate records of cemetery lot ownership, purchases
- Keep accurate burial records on cemetery master map
- Issue deeds and perform record keeping duties with county with assistance of town clerk
- Interact with public addressing questions and requests (Research cemetery records)

- Assist with locating plots and help with burial arrangements when possible
- Receive donations and deposit with town treasurer as needed. See internal controls policy
- Make budgetary requests of the Town Council, and use the budget accordingly
- Make recommendations for Cemetery maintenance and upkeep. Assist with upkeep when possible. Plan clean up prior to Memorial Day
- Make plans to improve the Cemetery
- Encourage public participation and input
- Assure all new projects and facilities are not dependent on the Town of Elk Mountain resources to be completed and maintained including labor without the council's prior approval;

**NOW, THEREFORE BE IT ORDAINED** by the Council that the Town of Elk Mountain Cemetery Board be created and by-laws, be adopted.

Passed on this   12th   day of   March  , 2012

Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2012

**TOWN OF ELK MOUNTAIN**

\_\_\_\_\_  
**Morgan Irene, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Linda Crane, Town Clerk**