

Cedar Cemetery Association
Annual Meeting
May 4, 2019

Created 5/06/19 by Delores Yoraway

The Cedar Cemetery Annual Meeting was called to order at 9:13am by Judy Herrala, President.

Attendees:

Lisa Rixe, Melissa DeLong Fager, Larry DeLong, Marlys Burman, Linda Rodgers, JoAnn Smith, Jan Evans, Doug Evans, Jarrod Guy, Larry Lundby, John Guy, Judy Herrala, Tanya Guy, Delores Yoraway

Report

The Secretary's Report was distributed and read.

Judy Herrala asked if there were any changes or corrections.

There were no changes or corrections.

Jan Evans made the motion to accept the minutes as read.

Tanya Guy seconded the motion.

No discussion.

Secretary's Report was approved.

Treasurer's Report

The Treasurer's Report was distributed and reviewed.

Tanya Guy expanded on the following line items.

- 21st Century Bank account closed. \$30 in fees accrued – Tanya offset by paying for newsletter and letter printing which came to \$32.
- Nine lots were sold in 2018; there were seven burials. Lot sales put us in black this year.
- A written thank you was sent for all cash donations: Jim Guy, David Swanson, Janice Rodd, James Hicks, Linda Rodgers, Penny Quast, Sandra Pebley and in-kind donations: Yoraways for pump and website, and Larry Lundby for snow removal.
- Three accounts were converted from annual to lifetime status.

Delores Yoraway made the motion to accept the Treasurer's Report.

Larry Lundby seconded the motion.

There was no further discussion.

Treasurer's Report was approved.

Old Business

Driveway Update – Judy Herrala met at the cemetery with Stewart Packer of North Valley Inc. located in Nowthen. North Valley does a majority of the roads and city streets locally. Stewart felt the drive could be widened to 12 feet, and they would do drive out to the road. The original stakes/markers were located. He also felt that the berm should not be cut down and said there would be hills in the roadway because of the tree roots. He did not want to disturb the tree roots in the berm and the driveway, as the trees are a valuable asset to the cemetery and should be protected. Quote was \$19,915...**Judy to find out if the tax is included and check to see if we can get a discount if paid in cash, post their name in cemetery, etc. Also, get terms – 50% initially, with remaining 50% upon completion.**

Expected lifetime of drive would be over 30 years. Cost averaged out would be \$663 per year. Options other than asphalt are not feasible.

Doug Evans and Jarrod Guy felt that we should get two more quotes before moving forward. Larry Lundby felt the North Valley quote was in line. He said Northern and one other company turned him down and did not want the job. Delores Yoraway felt we should move ahead as driveway needs repair, and the cost will only go up with time.

Judy, Tanya and Larry will coordinate to get two more quotes from local companies (include those that may do paving for county/city) within the next two weeks.

Tanya Guy will do credit background checks on the companies we consider.

Results will be communicated to trustees to determine company selection.

Delores Yoraway made the motion to move forward with driveway repair this summer after getting quotes from two more local companies – with final cost not to exceed amount allotted in our budget for driveway upgrade.

Larry Lundby seconded the motion.

Jarrod Guy requested budget limitation be added to motion above.

Motion was carried after adding budget limitation.

By-Law #8 – Judy Herrala distributed copies of the By-Laws. By-Laws had been e-mailed to the Trustees.

New Business

- **Trustee Elections:**

- Cathy Lundby's Trustee term is complete.
- *Delores Yoraway nominated Lisa Rixe.*
- ***Tanya Guy made motion to elect Lisa Rixe for Trustee.***
- ***Jan Evans seconded the motion.***
- ***Motion carried to elect Lisa Rixe to Trustee term 2019-2022.***

- Memorial Day Service will be May 27th, 2019 at 9:30am at the cemetery. **Larry Lundby will confirm time.** Date is on website.
 - Handicapped people may be driven in and dropped off in cemetery; the vehicle shall then be parked back out in main roadway..
- Tentative cemetery clean-up date for *next* year is set at **April 25, 2020 at 9:00am**, subject to change depending upon the weather.
 - ***Motion was made by Larry Lundby to schedule cemetery cleanup on the last Saturday in April at 9am.***
 - ***Motion seconded by Lisa Rixe.***
 - ***No further discussion***
 - ***Motion carried.***
- Cleanup date for this year will be May 18, 2019 at 9am. Posted on website.
- **Discussion on Annual conversions to Lifetime:**
 - Lots may be deeded back to cemetery association in lieu of maintenance fees.
 - Accounts may be put on inactive list after five years of non-payment.
 - Lot owners are asking how long they must pay \$20 or \$30 annual fee.
 - Increasingly difficult to obtain annual fee payment because families move or owners pass away without leaving lots to heirs.
 - We follow State Statutes regarding abandonment and deeding back to cemetery.
 - Loss of \$20/\$30 fee would, over time, eliminate income to cover operating expenses.
 - Donations will be requested in newsletter.
 - Fund Raisers may be necessary in distant future, i.e., sale of wreaths or flowers.
 - Delores will list State Statutes regarding enforcement of maintenance fees and lot abandonment, deeding back to cemetery at bottom of today's minutes.

Delores Yoraway made the motion to offer a \$250 Lifetime conversion fee to those currently on Annual Maintenance. Fee will include all lots contained by owner on one block only. Tanya shall have option to negotiate.

Motion seconded by Doug Evans

No further discussion.

Vote on \$250 conversion fee was carried.

Next Annual Meeting set for May 2nd 2020 at 9:00am

Motion made to adjourn by Judy Herrala.

Seconded by Larry Lundby.

Motion carried.

Meeting closed at 10:12am.

MINNESOTA STATUTES ON NEXT PAGE.

Reminder – Minnesota Statutes for Public Cemeteries (2015) do not require cemeteries established before 1906 to follow their guidelines. Cedar Cemetery was established is 1903. However, the statutes can serve as a resource and provide excellent guidelines.

FOUND IN Minnesota Statutes 2015 - 306.01.

In 2012, the motion was carried at the Annual Meeting to discontinue maintenance fee billing if a response has not been received after 5 years. The account should be moved to inactive status.

In 2012, there was discussion regarding turning in plots in lieu of the maintenance fee. No decision was made...however, Al Cable did deed his plots back to Cedar Cemetery.

In 2016, Cathy Lundby confirmed that cemetery lots can be deeded back to the cemetery in lieu of lifetime maintenance.

In 2017, it was carried that Tanya could negotiate past-due maintenance fees with persons having deeds to shirt-tail relatives.

MINNESOTA STATUTES 2015 – CHAPTER 306 PUBLIC CEMETERIES

306.55 Assessments Levied For Lot Care; Enforcement.

When assessments are levied by a cemetery association authorized by its articles of incorporation, bylaws, or otherwise for the care, upkeep, and maintenance of any lot or lots in the cemetery and remain unpaid for a period of five years, the unused portion of the lot or lots reverts to and becomes the property of the cemetery association in which the lot or lots are located. The reversion becomes effective upon entry of judgment in the district court of the county in which the cemetery is located, in proceedings instituted for that purpose after petition by the association to the court and after a hearing on the petition, upon notice to interested parties as prescribed by the court.

There are paragraphs that deal with abandoned lots – those owned 60 years or more and owner cannot be reached. Notices must be sent to last known address and a publication made in the paper (several actions can be taken in one notice). If after 90 days there is no response, the lots can be reclaimed by the cemetery. Please see 306.16 through 306.242.

Of course, court action is not necessary if the owner can be contacted and agrees to turn the lots back to the cemetery.