

**St. Pauli Cemetery Association
of Eden Township, Codington County, South Dakota**

BY-LAWS

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St. Pauli Cemetery Association of Eden Township, Codington County, South Dakota

BY-LAWS

ARTICLE I – Name

The name of this association shall be St. Pauli Cemetery Association.

ARTICLE II – Purpose

The purpose of the association shall be: to have charge of, take care of, to maintain, and to improve the St. Pauli Cemetery located in Eden Township, Codington County, South Dakota.

ARTICLE III – Membership

Membership is voluntary and open to all who wish to maintain and preserve the cemetery for perpetuity.

ARTICLE IV – Meetings

Section 4.1 Annual Meetings

Annual meetings are to be held on the Saturday prior to the nationally designated Memorial Day date, the place and time of day to be decided by the Board of Trustees.

Section 4.2 Meeting Purpose

The purpose of the meeting is to elect trustees, and to do business as necessary for the upkeep of the cemetery.

Section 4.3 Special Meetings

Special meetings may be called at any time by the President or upon the written (to include electronic means) request of 3 voting members

Section 4.4 Meeting Notification

Written notice of the annual meeting and special meetings of the membership shall be listed on the <https://stpaulicemeterysd.org> and/or personally served, emailed, or mailed to each member at such address as appears on the books of the Association at least ten (10) days before the date of the meeting.

ARTICLE V – Votes

Each member present at a meeting of the Association shall be entitled to one vote. A majority vote of members present at the annual or special meeting shall be required to pass motions.

ARTICLE VI – Officers

Section 6.1 Elections

The Board of Trustees shall consist of 5 elected trustees, who shall choose annually from their own number the following officers: President, Vice President, Secretary, Treasurer and a Member At Large.

Section 6.2 Terms

Trustees shall be elected for a term of 3 years. The board of trustees may appoint a nomination committee of 5 to: submit a slate of candidates to be voted upon singly or as a whole slate. Nominations may also be made from the floor.

Section 6.3 Board of Trustees Duties

The Trustees shall be authorized to determine the method of care for the cemetery.

President

The duties of the president are to preside at the annual meeting as well as call and preside at special meetings.

- a. He/She shall have general and active management of the business of this Board.
- b. He/She shall have general superintendence and direction of all other trustees of the St. Pauli Cemetery Association and see that their duties are properly performed.

Vice President

The duties of the vice-president are to preside at meetings in the absence of the president and perform such other duties as become necessary.

- a. He/She in concert with the President shall make the arrangements for all meetings of the Board, including the annual meeting of the organization.

Secretary

The duties of the secretary are to keep records of the meetings and handle any correspondence involved.

Treasurer

The duties of the treasurer are to keep a financial record of receipts and disbursements and submit to the board such bills as are presented for payment.

- a. He/She shall present a complete and accurate report of the finances at each meeting of the members, or at any other time upon request of the Board.
- b. It shall be the duty of the Treasurer to assist in direct audits of the funds of the program according to funding source guidelines and generally accepted accounting principles.
- c. Perform such other duties as may be prescribed by the Board or the President.

Member at Large

The Member at Large duties shall be:

- a. Serve as the liaison to the membership.
- b. Review financials of the St. Pauli Cemetery Association for the annual internal audit.
- c. Address overall organizational goals.
- d. Fulfill board requirements as needed.

Section 6.4 Vacancies

Vacancies may be filled by appointments by the president (approved by the trustees) to hold office until the next regular election.

ARTICLE VII – Assets and Debts

Section 7.1 Assets

All money and property received by the association shall be considered assets thereof. No money shall be borrowed or debts be contracted by the Board of Trustees involving more than \$1000.00 (one thousand dollars), without the consent of the voting members.

Section 7.2 Operating Expenses

All Certificates of Deposits and other investments currently on hand shall be held in perpetuity, and only the interest, donation, dividends, and investment income may be used for current operating expenses

Section 7.3 Invoice Approval

All bills/invoices must be approved by two officers.

ARTICLE VIII – Lots

All members who have relatives buried in the cemetery shall be automatically assured of burial privileges. People who are not members of this association may secure lots in the St. Pauli Cemetery.

ARTICLE IX – Appointed Positions

The board shall appoint a Sexton and Webmaster as well as other appointed positions deemed necessary.

Section 9.1 Appointed Position Descriptions

Sexton

The sexton will keep track of burials, cemetery plots and necessary paperwork with the state.

It is the policy of the St. Pauli Cemetery Association of rural Wallace, South Dakota to provide Sexton services only. Therefore it is the responsibility of the family of the deceased to assume all liability of costs of snow removal, grave site preparations and related costs. Winter season interments will continue to be possible, weather permitting.

Webmaster

The duty of the webmaster is to keep the www.stpaulicemeterysd.org website current and follow up on messages sent through the website. The association is liable for the hosting and maintenance costs of the website.

ARTICLE X – Amendments

Amendments may be added to this constitution whenever deemed necessary by a 2/3 majority vote of members present at a regular or special meeting. Procedure to make changes to the bylaws: A motion would be made at an annual meeting to review/update the bylaws and seconded. Updates would be proposed. Updated bylaws would be voted on by membership at the following meeting.

St. Pauli By-Law Amendment History Listed By Date

PROPOSED UPDATES

May 23, 2020

1. Removed Section 3.1.
2. Removed Section 3.3.
3. Renamed Section 3.2 to Section 3.1.
4. Renamed Section 3.1 Removed the word “whom”.
Added “wish to maintain and preserve the cemetery and perpetuity.
5. Section 4.3 Added “written” (to include electronic means).
6. Added Section 4.4 – Meeting notifications.
7. Article 5 Changed to majority.
8. Section 6.3 Removed executive board and replaced with Board of Trustees for consistency throughout the articles.
9. Section 6.3 Board of Trustees Duties were updated and added duties for member at large.
10. Article VII Changed \$100 to \$1000.
11. Section 7.1, 7.2, 7.3
Numbered for reading ease.
12. Section 7.3 Removed President and Treasurer. Replaced with two officers.
13. Article IX Removed Amendment A statement.
Changed “Care” to “Appointed Positions”.
14. Section 9.1
Added Sexton and Webmaster duties.
15. Article X Added 2/3 majority. Procedure for making bylaw changes/updates.

NEED DATE

Article VII paragraph 2

BE IT RESOLVED that the by-laws of St. Pauli Cemetery Association of Eden Township, Codington County, South Dakota, be amended and the following added to Article VII thereof:

All Certificates of Deposits and other investments currently on hand shall be held in perpetuity, and only the interest, donation, dividends, and investment income may be used for current operating expenses.

May 26, 2007

Section 4.3

This amendment to the by-laws was adopted at the annual meeting of the Association and ratified by a unanimous vote of the members in attendance.

November 3, 1986

Section 9.1

Sexton, 2nd paragraph was adopted to the by-laws at the annual meeting of the Association and ratified by a unanimous vote of the members in attendance.