

## **Zion Lutheran Cemetery Association, Inc.**

6030 County Rd 23, Leonard, ND 58052

[www.zionlca.com](http://www.zionlca.com)

May 8, 2007

Dear Family and Friends,

This letter is a reminder that the annual meeting of the Zion Lutheran Cemetery Association, Inc. will be held on Memorial Day May 28, 2007.

### **Service**

Chaplain (LTC) Tom Solhjem will speak at the 10:00 AM memorial service.

### **Noon Pot Luck Dinner**

At noon a pot luck dinner of sandwiches, salads, and desserts will be served. Bring your favorite! Paper products and beverages will be provided.

### **Annual Meeting (Top of Agenda: By-Laws)**

Following the noon dinner (at approximately 1:00 PM) the annual meeting will take place. Proposed new By-Laws will be discussed (a copy is attached). The old By-Laws allow the new By-Laws to be adopted by a majority vote of the members attending. Also attached is a copy of the cemetery rules and regulations adopted by the board of directors at their meeting on May 5, 2007.

### **Afternoon Pot Luck Lunch**

After the annual meeting there will be a pot luck lunch with cookies, bars, and Norwegian delicacies. Again, bring your favorite!!

### **Pictures and Information**

Check out the Internet Web Site at: [www.zionlca.com](http://www.zionlca.com) Several new photos and other information have been added. On Memorial Day we will display the photos you have sent us near your loved-one's grave site.

We hope to see you on May 28<sup>th</sup> to help us:

**Celebrate Life and the Memory of Those Who Have Gone Before Us!**

ZION LUTHERAN CEMETERY ASSOCIATION, INC.  
BY-LAWS

In this document: Zion refers to “Zion Lutheran Cemetery Association, Inc.” located south of Leonard, North Dakota as indicated in ARTICLE II below. Zion Church refers to the people who were members of the Zion Lutheran Church. Church Building refers to the Zion Lutheran church building.

ARTICLE I.  
MISSION STATEMENT

The Zion Lutheran Cemetery Association, Inc. is to provide a place to bury those who wish to be buried in the cemetery. The grounds and the church building will be maintained to the best of our ability and under the direction of the board of directors. The church building will be available for various events upon the approval of the board of directors. Maintaining the history and heritage of those associated with the Zion Cemetery is of utmost importance. Jesus Christ is our Shepherd in leading us in faith, hope and love.

ARTICLE II  
OFFICE

The principal office of the corporation in the State of North Dakota shall be located in Zion Lutheran Church, Leonard, North Dakota.

The corporation shall have and continuously maintain in the State of North Dakota, a registered office and a registered agent whose office is identical with such registered office. The registered office may be, but need not be, identical with the principal office in the State of North Dakota, and the address of the registered office may be changed from time to time by the board of directors.

ARTICLE III  
MEMBERS

Section 1 – Membership. Membership consists of owning a gravesite or having a relative buried in this cemetery.

Section 2 - Voting Rights. Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members.

Section 3 – Proxy. A person who has purchased a grave site but is unable to attend a meeting can give written instructions (power of attorney) to another person, who has purchased a grave site, to act on his/her behalf.

Section 4 – Resignation. Any member may resign by filing a resignation with the secretary.

ARTICLE IV  
MEETING OF MEMBERS

Section 1. - Annual Meeting. An annual meeting of the members shall be held each year for the purpose of electing directors and the transaction of any other business that may come before the meeting.

Section 2. - Special Meetings. Special meetings of the members may be called by the board of directors at a designated place.

Section 3. - Notice of Meetings. Printed notice stating the place, day and hour of any meeting of members shall be delivered personally or by mail to each member entitled to vote, who is on the mailing list, at least two weeks prior to the date of such meeting. If mailed, the notice of the meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the member mailing list, with postage thereon prepaid.

Section 4. – Member mailing list. Members as stated in Article III above have the responsibility to update their mailing address as needed.

Section 5. - Quorum. Ten (10) members (described in Article III above).

ARTICLE V  
BOARD OF DIRECTORS

Section 1. - General Powers. The affairs of the association shall be managed by its board of directors. Directors need not be residents of North Dakota, but they must be members of the association.

Section 2. - Number, Tenure and Qualifications. The number of directors shall be five. Each director serves five years, one being elected each year at the annual meeting.

Section 3. - Meetings. Meetings of the board of directors maybe held at any time and place decided by a majority of the board of directors.

Section 4. - Quorum. Three members of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board.

Section 5. - Manner of Acting. All motions must be carried by at least three directors.

Section 6. Vacancies. Any vacancy occurring in the board of directors shall be filled by the board of directors. A Director appointed to fill a vacancy shall serve until the next annual meeting.

Section 7. - Compensation. Directors as such shall not receive any stated salaries for their services. Nothing herein contained shall be construed to preclude any director from serving the association in any other capacity and receiving compensation therefore.

ARTICLE VI  
OFFICERS

Section 1. - Officers. The officers are elected by the board of directors. The officers of the association shall be a president, a first vice-president, a second vice-president, a

secretary, and a treasurer. The president and vice presidents must be members of the board of directors. The secretary and treasurer maybe one person, elected by the board of directors, but does not have to be a member of the board of directors. Such officers shall have the authority and perform the duties prescribed from time to time by the board of directors.

Section 2. - President. The president shall be the principal executive officer of the association and shall in general supervise and control all the business and affairs of the association. The president shall preside at all meetings of the members and of the board of directors. The president may sign with the secretary, or any other proper officer of the association authorized by the board of directors, any documents authorized by the board of directors, including the signing and endorsing of checks. In general the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors from time to time.

Section 3. - Vice Presidents. In the absence of the president, or in the event of his inability or refusal to act, the vice-president shall perform the duties of president. Any vice-president shall perform such other duties as from time to time may be assigned to him by the president or by the board of directors.

Section 4. – Treasurer. The treasurer shall have charge and custody of and be responsible for all funds and securities of the association, receive and give receipts for moneys due and payable to the association from any source whatsoever, and deposit all such moneys in the name of the association in such banks, trust companies, or other depositories as shall be selected by the board of directors, and in general perform all duties incident to the office of treasurer, and such other duties as may from time to time be assigned to him by the president or by the board of directors.

Section 5. - Secretary. The Secretary shall keep the minutes of the meetings of the members and of the board of directors in one or more books provided for that purpose, see that all notices are duly given as provided in these by-laws or as required by law, be custodian of the association records (including cemetery records), keep a mailing list of the post office address of each member which shall be furnished to the secretary by such members, and in general perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to the secretary by the president or by the board of directors.

## ARTICLE VII CERTIFICATES OF RESERVED GRAVE SITE

The board of directors will provide a certificate to each person who purchases a grave site. Such certificates will be signed by the president and secretary of the association and state the location of the grave site in the cemetery. The name and address of each grave site owner, site location, and the date of issuance of the certificate shall be entered on the records of the association. If any certificate shall become lost, mutilated or destroyed a new certificate may be issued therefore on such terms and conditions as the board of directors may determine. If someone no longer wants a grave site, after having paid for it, the grave site can be sold to someone else upon written notification to, and approved by, the board of directors.

ARTICLE VIII  
FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December of each year.

ARTICLE IX  
EMPLOYEES

The board of directors shall have the right to hire such persons as they deem fit and proper to superintend and to maintain this cemetery. Said employees shall be answerable to the board of directors. The superintendent, or such other employees as the board of directors shall determine, shall have such powers to enforce all rules and regulations as the board of directors may grant unto said employees.

ARTICLE X  
CHANGES IN BY-LAWS

Any change in the By-Laws needs to be proposed by a majority vote at a meeting of the members and included in the notice for a subsequent meeting of the members. At the subsequent meeting the members may change the By-Laws (as proposed) with a two-thirds majority vote.

ARTICLE XI  
RULES AND REGULATIONS

Rules and regulations will be established by the Board of directors. The board of directors may change or modify these rules and regulations without notice. All former rules and regulations shall be declared invalid.

ARTICLE XII  
PERPETUAL FUND

A perpetual fund has been established and the interest generated from the fund will be deposited in the general fund and be used for upkeep of the cemetery. The perpetual fund was initiated on the 21<sup>st</sup> day of July, 1999.

KNOW ALL MEN BY THESE PRESENTS. That we the undersigned, being all members of Zion Lutheran Cemetery Association, Inc., hereby assent to the foregoing By-Laws and adopt them as the By-Laws of said association.

Date of Adoption: \_\_\_\_\_

Directors: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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## Rules and Regulations

Zion Lutheran Cemetery Association, Inc.  
6030 County Rd 23, Leonard, ND 58052

The bylaws that guide the management and operations of the cemetery are available at the address above. The Articles of Incorporation are recorded with the State of North Dakota. The following rules and regulations will insure the constant beauty and planning of this cemetery. All persons are required to obey the rules and regulations. The Board of directors may change or modify these rules and regulations without notice.

1. One grave site is \$200. With a maximum of one head stone and/or one foot marker placed on a grave site. Two or more adjoining grave sites may share one head stone.
2. One grave site may contain only one casket.
3. One grave site may contain one cremation. Additional cremations can be buried in a grave site if approval is given by the Board of directors. An additional \$200 fee will be assessed on each additional cremation buried in a grave site. Only one head stone and/or foot marker can be placed on a grave site with cremations.
4. No cremations can be buried on top of or beside a casket.
5. All head stones and foot markers must have a concrete base that extends beyond the grave stone or foot marker. This concrete base must be flush with the ground to facilitate easy mowing of grass around the head stone or foot marker.
6. Rent for the church building for funerals or other church related events is \$150 with extras negotiable (such as: snow removal, cleaning, etc.)
7. All flowers placed in the ground must be removed by July 1<sup>st</sup>. Those in permanent vases or on staffs can remain.
8. The mowing and regular upkeep will be under the management of the Board of Directors.