

**CHAPTER 9**

**CEMETERY**

**9-1-1 CREATION OF ASSOCIATION.** There shall be and is hereby created the Mulberry Grove Cemetery Association, a public cemetery of the Village.

**9-1-2 APPOINTMENT AND TERMS OF OFFICE.** The Board for such cemetery association shall consist of **three (3) members** in addition to the President thereof. These members shall consist of trustees appointed by the President.

**9-1-3 ORGANIZATION.** As soon as possible following passage of this Chapter, the President and members of the Board he shall have appointed, shall meet for the purpose of organizing. At this meeting, the President shall appoint Auditor, Secretary, Treasurer and any other officer or officers he deems advisable to carry on the work of the association. The Treasurer of said Cemetery Association shall, before entering upon her duties as such, execute a bond to the People of the State of Illinois for the use of said cemetery association, in a penal sum of not less than double the value of money or funds coming into her hands, which bond shall be presented to and approved by the Village Board of Trustees.

**9-1-4 POWERS AND DUTIES.** The Village Treasurer is hereby authorized and empowered to receive annual donations of money and other gifts and to use the same at its discretion for the benefit of Mulberry Grove Cemetery. Furthermore, said Village Treasurer has the authority and power to receive and hold in trust money in sums of **One Hundred Fifty Dollars (\$150.00)** or more, funds, securities, notes or property of any kind, the market value of which amounts to the sum of **One Hundred Fifty Dollars (\$150.00)** or more, which has been donated, executed, devised or bequeathed to said Mulberry Grove Cemetery Association in trust by any person or persons whomsoever for the maintenance, care, upkeep or beautification of said cemetery or any lot or lots in said cemetery, specified in the instruments making such gifts, donations or bequests.

Mulberry Grove Cemetery Association has the right to convert said property into money and invest the proceeds thereof, together with money so given, donated or bequeathed to it, in United States Government insured securities. The principal of such trust fund shall be kept intact and perpetually invested, and the income therefrom shall be perpetually applied by said Cemetery Association for the purpose specified in the instruments of making such gifts, donations, devises or bequests and for no other purpose.

Any trust executed to Mulberry Grove Cemetery by its name shall vest in the association and take effect to all intents and purposes as if executed to said association.

Said Mulberry Grove Cemetery Association may make and adopt such reasonable rules and regulations as to it seem expedient and advisable for its own guidance and operation in carrying out the intent and purpose of this Chapter, not inconsistent with the Ordinances of the Village and the Statutes of the State of Illinois.

**9-1-5 TREASURER.** The Treasurer of said cemetery association shall have custody of all money received by said association and shall pay out same only upon written order of the association, signed by President and Secretary thereof. It shall be the duty of said Treasurer to keep a permanent record of all sums and sources of miscellaneous general income and all disbursements made by her. The record of the trust funds shall be kept separate from the miscellaneous general funds, and such trust fund

records shall show the sources, amounts, types of property received in trust, income derived and disposition of income, and said Treasurer shall annually, under oath, as provided by statute, make two written financial reports, one showing receipts, disbursements and balances of monies other than trust funds and the other listing all information pertaining to the trust funds, to the association for unanimous vote of approval.

**9-1-6 SECRETARY.** The Secretary of said cemetery association shall keep a complete and accurate record of all meetings of said cemetery association, such records to be attested by the Secretary and signed by the President of said association. The Secretary shall, in a special record to be kept for that purpose, keep an accurate and permanent record of the several trust funds, showing from what source received, the amounts thereof, the type of property received in trust, income derived and disposition of income, and shall, in a separate record, to be kept for such purpose, keep a permanent record of receipts and disbursements of miscellaneous funds, showing all sums of money coming to the association from payment of annual dues by lot owners, sale of lots, opening of graves, restoration of monument foundations, donations, etc., and all disbursements of the association. The Treasurer shall annually, at the time of transmitting the Treasurer's reports to the association, make her reports in writing, under oath, to the association, stating therein substantially the same matter required to be reported by the Treasurer of said association.

Should any annual report of either Secretary or Treasurer of said cemetery association fail to be approved by the association, said report shall be submitted to the County Judge of Bond County, Illinois, for audit and conclusive decision.

**9-1-7 RESERVED**

**9-1-8 POWER OF REMOVAL - VACANCIES.** The President of said cemetery association shall have power to remove from office any or all members because of incompetence, non-performance of duties, misappropriation or wrongful use of cemetery funds or property. He shall require a just and proper accounting for any misconduct of office.

In the event of the resignation or death of any member of the said cemetery association board, the vacancy thus created shall be filled by a successor appointed by the President of said association, as provided by statute.