ELK RUN CEMETERY COMMISSION

Special Meeting **6:00 pm September 8, 2009**

PRESENT:

Charlotte Shifflett
Lillian Nicholson
Joyce Stevens
Cathy Morrison
Raymond Mowbray

Albert (Bill) Davis
Betty McGahey
Gerald Monger

Lee Dearing/Council Representative

Chairman Bill Davis, called the special meeting to order at 6:00 pm. Charlotte Shifflett opened with a brief prayer.

The meeting was called with the intent to amend the current by-laws to obtain a vote by the majority of members to reallocate funds from the perpetual care account into the real estate fund to acquire contiguous real estate.

Raymond Mowbray made a motion to amend Section 13 of the Elkton Cemetery Commission By-Laws, by adding the following after the last sentence, that the commission may reallocate funds, including principle, interest and or dividends, from the perpetual care fund to the real estate fund as it is deemed necessary to acquire additional contiguous real estate. The motion was seconded by Joyce Stevens.

Voice Vote	**Yes**	Bill Davis, Lillian Nicholson, Betty McGahey, Joyce Stevens, Cathy Morrison, Raymond Mowbray, Gerald Monger
	No	None

Motion Carried

The members discussed the breakdown of money collected from lot sales in addition to the $400.00 now being paid for open/closing of graves. In the future, <u>it won't be necessary to place 50% to real estate and 50% for perpetual care</u>.

Beginning September 1, 2009 the money will be placed into accounts as follows:

1)	**Lot Sales**	Real Estate = $100.00	Perpetual Care = $500.00
2)	**Graves/Maint**	Mon-Fri = $100	Wk. Ends = $125.00
3)	**Operations**	Acct 10-314-0200	Remaining $275/or $300.00

Gerald Monger made a motion to adjourn the meeting, seconded by Cathy Morrison. The next meeting date to be announced.

Submitted by:
Charlotte Shifflett

Bill Davis
Bill Davis/Chairperson

Charlotte Shifflett
Charlotte Shifflett/Admin. Secretary

RESOLUTION OF THE ELKTON CEMETERY COMMISISON
To Amend Section 13 of the Elkton Cemetery By-laws

BE IT RESOLVED by the Elkton Cemetery Commission, Elkton, Virginia, as follows:

1. Whereas, the Elkton Cemetery Commission is responsible for the management of the community cemetery known as Elk Run Cemetery; and

2. Whereas, current Section 13 of the Elkton Cemetery Commission Bylaws provides that monetary funds designated for the perpetual care of the cemetery be maintained in separate investment accounts or financial products and the principal thereof shall not be used for operational purposes and further provides that all monetary funds designated for real estate acquisition purposes be maintained separate investment accounts or financial products and both interest, dividends and principal thereof shall be used only for the purchase and development of real property for the cemetery and the expenses related thereto; and

3. Whereas, a contiguous land owner, namely Dr. Garner H. Downey, has entered into a contract with the Town of Elkton to sell 10.044 acres, more or less, with the purchase price of $331,452.00, for the future expansion of the Elk Run Cemetery; and

4. Whereas, the Elkton Cemetery Commission has determined that said real estate is desirable for future cemetery expansion because the real estate is contiguous to the existing cemetery, and further that because of the limited supply of contiguous vacant land for the cemetery to expand it is desirable to purchase the 10.044 acres before the land owner offers the property for sale to the general public; and

5. Whereas, Section 15 of the current Cemetery by-laws reserves the Commission the right to amend the bylaws at any time by a majority vote of all commissioners; and

6. Whereas, the Commission would like to amend Section 13 of the Elkton Cemetery Commission Bylaws by adding the following after the last sentence:
<u>The commission may, by a majority vote of all commission members, reallocate funds, including principal, interest and or dividends, from the perpetual care fund to the real estate fund as is deemed necessary to acquire additional contiguous real estate</u>; and

NOW THEREFORE, the Elkton Cemetery Commission herby authorizes the amendment to Section 13 of the bylaws as stated in paragraph 6 above and authorizes the transfer of funds necessary to cover the purchase price and associated expenses from the perpetual care fund to the real estate acquisition fund for the purchase of the 10.044 acres of contiguous real estate from Dr. Garner H. Downey for future expansion of Elk Run Cemetery.

SECTION 13. PRESERVATION OF SPECIAL FUNDS

The Town Manager shall ensure that all monetary funds designated for perpetual care of the cemetery are maintained in separate investment accounts or financial products and the principal thereof shall not be used for operational purposes. The Town Manager shall ensure that all monetary funds designated for real estate acquisition purposes are maintained in separate investment accounts or financial products and both interest, dividends and principal thereof shall be used only for the purchase and development of real property for the cemetery and the expenses related thereto. The commission may, by a majority vote of all commission members, reallocate funds, including principal, interest and or dividends, from the perpetual care fund to the real estate fund as is deemed necessary to acquire additional contiguous real estate.