

Otisco Township

Cemetery Meeting

June 27, 2017

Cemetery Committee Members present: Maryann Reeves, Shane McDonald, Lynda Sower and Laura Staats

Absent: David Hodges, Paul Reeves

Old Business:

The new signage for the two cemeteries were discussed and it was determined that no changes to the wording is needed. Laura will confirm the sizes and give Lynda that information so the signs can be ordered.

The current ordinance was reviewed and compared to the sample Michigan Township Association ordinance, a few ordinance additions were debated and are included in the new updated ordinance.

They are as follows:

Section III Sale of Lots or Burial Spaces

- F. At the time of purchase from the Township, each cemetery plot shall be assigned the name of the specific person who shall be interred in that cemetery plot upon death. Each such person must be a resident or taxpayer of the Township, or be a member of the immediate family member of a qualified purchaser. If the owner of a cemetery plot desires to effectuate a name change regarding the assigned cemetery plot, that person must sell the cemetery plot back to the Township and repurchase that space in the name of another eligible person, since cemetery plots are not otherwise transferrable.
- G. The Township shall have the right to correct any errors that may be made concerning interments, disinterment's, or in the description, transfer or conveyance of any cemetery plot, either by canceling the permit for a particular vacant plot or plots and substituting and conveying in lieu thereof another vacant cemetery plot or plots in a similar location within the cemetery at issue. In the event that an error involves the interment of remains of any person, the Township shall have the right to remove and transfer the remains so interred to another cemetery plot in a similar location in the same Township cemetery in accordance with law.
- H. The owner of every cemetery plot shall be responsible for notifying the Township whenever that person's mailing address changes.

Section IV Purchase Price and Transfer Fees

Removed C.

The foregoing charges shall be paid to Otisco Township and shall be deposited into the Cemetery Fund and Perpetual Care Fund, as determined periodically by the Township Board.

Section XV Disclaimer of Township Liability and Responsibility

Every person who enters, remains in and travels within a Township cemetery does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of or deterioration of any burial monument, headstone, flower urn or other item placed at or near a cemetery plot, burial site or anywhere in a Township cemetery. The purchaser or transferee of any cemetery plot or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies and holds harmless the Township for, from and against any injury, damages, causes of action, claims, costs and expenses associates with, relating to and/or involving the cemetery plot or similar right, any headstone, monument or similar items, and any matter related to the cemetery involved. Such waiver, release and hold harmless provision shall apply not only to the Township, but also as to the township Sextant and any Township employee, officer, official, committee member or agent.

Section XVI Interpretation/Appeals to the Township Board

- A. The Township Board shall have the authority to render binding interpretations regarding any of the clauses, provisions or regulations contained in this Ordinance and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability. The Township Board (or its designee) is also authorized to waive application of the strict letter of any provision of this Ordinance or any rules or regulations promulgated under this Ordinance where practical difficulties in carrying out the strict letter of this Ordinance or any rules or regulations related thereto would result in hardship to a particular person or persons or the public. Any such waiver, however, must be of such a character as it will not impair the purposes of this Ordinance.
- B. Any party aggrieved by any interoperation of decision made by the Township Board pursuant to this Ordinance, as well as any matter relating to a Township cemetery, rights to a cemetery plot, or other matter arising pursuant to this Ordinance, shall have the right to appeal that determination/decision or matter to the Township Board. Any such appeal shall be in writing and shall be filed with the Township within thirty (30) days of the date of the decision, determination or other matter being appealed from. The Township shall give the aggrieved party who filed the written appeal with the Township at least ten (10) days' prior written notice of the meeting at which the Township Board will address the matter unless an emergency is involved, in which case the Township shall utilize reasonable efforts to notify the aggrieved party who

filed the appeal of a special or emergency meeting of the Township Board at which the matter will be addressed. Pursuant to any such appeal, the decision of the Township Board shall be final.

- C. The Township Board may set a fee or fees for any such appeal from time to time by resolution.

Lynda will present the new updated ordinance to the Township Board for approval. She will request that the old ordinance be voided and replaced with the new one.

Ribbons as foundations were discussed. Lynda asked for a list of the cemeteries that Maryann Reeves and Laura Staats visited. Laura will send her the list and the presentation showing them in use.

The new drive at Otisco was briefly discussed, we are waiting for the final wording on the bid request from Joe Daller. The new drive extension will be flagged when the bid is placed in the paper.

Foundations were discussed for the marker-less graves in Otisco cemetery. Laura stated that over the coming years that the Cemetery Committee wishes to use excess funds to have foundations poured and the plot information inscribed for future reference to whom is buried there.

Fees for the Ribbon foundations were discussed and Maryann Reeves will contact the Sextant, Ralph VanOker to have him attend a future meeting to explain the pricing.

Next Meeting: Date TBD

Proposed Agenda Items:

Columbaria plans, layout and design discussion and Memorial and Ash Garden

Title to Smyrna Cemetery – we have the title for the south side of the drive – do we need a Title for the main portion? Would Judy know?

Review Rules to be available at Cemetery

Plot Fee to include Foundation?

Respectfully submitted,

Laura J. Staats