



St. Joseph's – Our Lady of Victory Cemetery

St. Joseph's Catholic Church
16 Red Lake Ave., PO Box 67
Bagley, MN 56621-0067

Phone: 218-694-6416

Fax: 218-694-6416

E-Mail: stjoseph@gvtel.com

*(Approved by St. Joseph's Pastoral Council, April 19, 2005)
(Amended by St. Joseph's Pastoral Council, April 22, 2008)*

The St. Joseph's Catholic Cemetery, located in Bagley, Minnesota, and the Our Lady of Victory Catholic Cemetery, located in Shevlin, Minnesota, is the responsibility of the St. Joseph's/Our Lady of Victory Cemetery Association. This association operates pursuant to the direction of the Parish Pastoral Council, of St. Joseph's Catholic Church, to assist and advise St. Joseph's Catholic Church in the establishment, operation and maintenance of a private cemetery pursuant to the following: Chapter 307, of the Minnesota Statutes, the 1983 Code of Canon Law, Minnesota Catholic Cemetery Policies, and Minnesota Catholic Cemetery Rules and Regulations; as adopted by the Diocese of Crookston, Minnesota. The St. Joseph's/Our Lady of Victory Cemetery Association reserve the right of "final authority" in the operation of St. Joseph's Catholic Cemetery and Our Lady of Victory Catholic Cemetery.

The St. Joseph's/Our Lady of Victory Cemetery Association is part of the Church by ministering to the deceased, the bereaved, and the poor. The Association seeks to help people accept the reality of death, in the context of faith and the promise of eternal life. We strive to provide an environment to meet the needs of the Catholic liturgy; which encourages frequent visitation with attendant prayer for the dead; where love is remembered; where hope is rekindled; and faith is awakened and strengthened.

Our cemeteries should:

Meet the needs of individuals, and our parish community, in preparation for, at the time of, and following death

Minister in liturgy, prayer, comfort instruction, and evangelization

Proclaim the reality of the human person as sacred, and deserving of dignity and respect, both in life and death

Provide a sacred space where remembering can be fostered and centered, and is a place for liturgical celebration

Serve as a symbol of the extended community of the Church

GENERAL RULES AND REGULATIONS

St. Joseph's Catholic Church, in Bagley, Minnesota, is part of the Diocese of Crookston, and is a religious organization established, and existing, under the Laws of the State of Minnesota. The cemeteries of St. Joseph's and Our Lady of Victory, are owned by St. Joseph's Catholic Church, and are operated by St. Joseph's/Our Lady of Victory Cemetery Association. The St. Joseph's/Our Lady of Victory Cemetery Association shall be the agent of the parish for the administration and the operation of the cemeteries of St. Joseph's and Our Lady of Victory.

The perpetual care of cemeteries of St. Joseph's and Our Lady of Victory shall be assumed by the St. Joseph's/Our Lady of Victory Cemetery Association. "Perpetual Care" shall be construed to mean; the cutting of grass, the cleaning of grounds, the planting and pruning of shrubs and trees (which may be placed by authority of the Association), and the general preservation of the grounds and property of the cemetery, as long as it shall be used as a cemetery.

The "Perpetual Care", assumed by the St. Joseph's/Our Lady of Victory Cemetery Association, shall in no way include repair of normal weathering of the faces of stone monuments or markers, repair of markers that are damaged by vandalism or inclement weather. The Association shall provide reasonable efforts in keeping monuments and markers level and above ground.

The monies for Perpetual Care shall be withdrawn from the St. Joseph's/Our Lady of Victory Cemetery Association account. This account shall be maintained by cemetery fees, donations, and interest earned thereof. Donations to the cemeteries of St. Joseph's and Our Lady of Victory are greatly encouraged and will assist the Association in ensuring the necessary monies are available for improvements and Perpetual Care.

The St. Joseph's/Our Lady of Victory Cemetery Association hereby expressly reserves the right to adopt additional rules and regulations, to amend, alter, or repeal any rule, regulation, article, section, paragraph, or sentence of these General Rules and Regulations, at any time, and without notice. These General Rules and Regulations shall be in accordance with, and supplemented by, the "Minnesota Catholic Cemetery Rules & Regulations" as adopted in 2006 by the Diocese of Crookston, Minnesota.

BURIAL RIGHTS

The rules and regulations of the Catholic Church governing cemeteries, prescribe that the title to the land used for cemetery purposes, shall remain vested in the Parish. Title to the land in any plot in the cemeteries of St. Joseph's and Our Lady of Victory shall always remain in the Diocese of Crookston, Minnesota. Burial Right Easement alone shall be purchased in the plots, in accordance with the schedule attached hereto.

No Burial Right Easement shall be sold in common or joint ownership. Title shall stand in one name. Upon death of the Holder of the Burial Right Easement, their immediate heirs shall, in accordance with Minnesota State Statute 306.29, decide in whose name the title of Burial Right Easement shall stand.

SECTION 3

There shall be no planting of trees, shrubs or flowers.

SECTION 4

There shall be no digging or placement of monuments without the approval of the Actuary.

SECTION 5

All funeral processions, and other activity while within the cemetery grounds, will be subject to the direction of the Pastor.

SECTION 6

All monuments, or grave markers, in Rows A through N, Blocks VI through X, in the south side of the St. Joseph’s Cemetery, will not exceed the height of ground level, and shall have a solid masonry foundation , not less than 6” deep and shall have a perimeter of 4” outside the monument. All monuments, or grave markers, in the south side of the Our Lady of Victory Cemetery (south of the established road, approximately bisecting the cemetery in an easterly/westerly direction), will not exceed the height of ground level, and shall have a solid masonry foundation , not less than 6” deep and shall have a perimeter of 4” outside the monument.

SECTION 7

The cemetery board shall perform annual maintenance at the cemetery.

ARTICLE X
AMENDMENTS

SECTION 1 – AMENDMENTS TO BY-LAWS

These By-Laws may be amended by a majority vote of the members in attendance at an annual or special meeting called for that purpose, provided such amendments are approved by the Parish Pastoral Council of St. Joseph’s Church.

ADDITIONAL RECORD KEEPING

Records: of all Burials/Cremations must be kept, name, age, sex, nativity (birth date and place) and cause of death.

These records in the past have been kept by the Pastor of St. Joseph’s, of Bagley, Minnesota, or his designee. That office will continue to do so. Anyone interested in reviewing these records may do so by contacting St. Joseph’s record department.

The Actuary (Sexton) will keep a detailed geographic map/chart of all Burials/Cremations, and reserved Burial sites, by number, section, name, date purchased and amount paid. In addition, the Actuary is responsible, to the best of his/her ability, to continue up-dating and correcting any records.

The cremation, and inurnment, shall be consistent with Canon Law, Catholic Cemetery Policies, Minnesota Catholic Cemetery Rules & Regulations” as adopted in 2006 by the Diocese of Crookston and State of Minnesota Statutes.

Descriptions of any and all plots shall be accordance with the Cemetery plats; which shall be kept on file with the St. Joseph’s/Our Lady of Victory Cemetery Association.

Person desiring to purchase a Burial Right Easement in the cemeteries of St. Joseph’s and Our Lady of Victory shall contact the Pastor of St. Joseph’s Catholic Church, or the St. Joseph’s/Our Lady of Victory Cemetery Association.

INTERMENTS

The cemeteries of St. Joseph’s and Our Lady of Victory shall be open for interments at reasonable hours every day of the year.

Winter interments may be done at the request of the deceased individual’s family. Winter interments shall be considered to be burials performed between November 1st and April 1st. There will be an additional fee charged by St. Joseph’s/Our Lady of Victory Cemetery Association, for the cost of winter staking and maintenance of a winter road in the cemeteries. This additional fee shall be paid either to the Funeral Director, or to the St. Joseph’s/Our Lady of Victory Cemetery Association.

All additional costs for winter interments are the responsibility of the deceased individual’s family.

The interment of an infant may take place, in the same burial plot, and above an interred adult.

The interment of two infants may take place in the same lot burial plot.

All interments shall be made at a time, and in a manner, as directed by the St. Joseph’s/Our Lady of Victory Cemetery Association, and the Pastor of St. Joseph’s Catholic Church.

Only authorized personnel may open graves in the cemeteries of St. Joseph’s and Our Lady of Victory.

VAULTS

All interments shall be required to utilize an outer burial vault, constructed of concrete, steel or fiber-glass; which shall contain the casket or coffin, so as to reduce the possibilities of the collapse of the grave.

INURNMENTS OF CREMATED REMAINS

Cremated remains may be inurned in any burial plot of the cemeteries. No more than two cremated remains shall be inurned in one burial plot. Cremated remains shall utilize an appropriate container, and may also utilize an outer burial vault, constructed of either concrete steel or fiber-glass.

The inurnment of cremated remains of one individual may be inurned in the same burial plot, and above an interred individual.

MONUMENTS

All burial plots should be identified with a minimum of a permanent flat foot marker.

One central, or family memorial, may be allowed on each burial plot. In addition, one foot marker may be placed on each burial plot. An exception to this policy may be made when there are two individuals, or a combination of one individual and cremated remains, interred on one burial plot.

All monuments and markers must be placed on a concrete pad, which shall have a minimum of 4” of concrete surround. The concrete pad shall have a minimum thickness of 3 ½”, and shall include reinforcement rods.

Designs of all monumental works shall be tasteful and respect the dignity of the deceased.

No monuments or markers shall be permanently installed until after final payment has been made for the Burial Rights on each burial plot, and after the monument supplier has contacted either the Pastor of St. Joseph’s Catholic Church, or the St. Joseph’s/Our Lady of Victory Cemetery Association.

No coping, curbing, fencing, borders, or enclosures of any kind shall be allowed around any burial plot. The St. Joseph’s/Our Lady of Victory Cemetery Association reserve the right to remove same.

GRAVE DECORATIONS/PLANTINGS

The St. Joseph’s/Our Lady of Victory Cemetery Association reserve the right to remove, without notice, all plantings, emblems, floral designs, frame baskets, and any other objects that are, or become unsightly, dangerous, diseased, or detrimental to the peace, sanctity, and normal maintenance of the cemeteries of St. Joseph’s and Our Lady of Victory.

There shall be no permanent planting of trees or plants, unless prior approved by the St. Joseph’s/Our Lady of Victory Cemetery Association.

All grading, landscape work, improvements, or remodeling, except that work specifically performed in the process of interment or removal, shall be done by, or under the direction, of the St. Joseph’s/Our Lady of Victory Cemetery Association.

**ARTICLE VI
COMPENSATION OF DIRECTORS AND OFFICERS**

SECTION 1 – COMPENSATION FOR DIRECTORS

Directors shall not be paid compensation for their services rendered as directors except for reimbursement of expenses. Nothing herein shall be construed to preclude any director from serving the association in any other capacity and receiving compensation therefore.

SECTION 2 – COMPENSATION OF EMPLOYEES

The salaries of all officers, employees and agents of the association shall be determined by the Finance Council of St. Joseph’s Church.

**ARTICLE VII
CORPORATION RECORDS**

SECTION 1 – RECORDS

The Board of Directors shall keep a complete record of all their minutes and acts and proceedings of the members, and present a full and accurate statement at the regular annual meeting of the Board of Directors.

**ARTICLE VIII
FINANCES**

SECTION 1 – CHECKS

All disbursements shall be by check signed by those persons designated by the Pastor and St. Joseph’s Cemetery Association.

SECTION 2 – BUDGET

An annual budget for the cemetery shall be approved by the Finance Council of St. Joseph’s Church.

SECTION 3 – LEGAL DOCUMENTS

The Pastor and Parish Trustees of St. Joseph’s Church shall sign all legal documents and papers for, and on behalf, of the association.

SECTION 4 – FUNDS

A Perpetual Care Fund will be set up to receive all funds designated as Perpetual Care.

**ARTICLE IX
PLOTS AND GRAVE SITES**

SECTION 1

All plots shall be held as burial places for the dead, and for no other purpose, and when sold shall include the cost of perpetual care. Perpetual Care includes the general care of the entire grounds. It consists of a plot (St. Joseph’s = 5’ x 10’) (Our Lady of Victory = 4.75’ x 10’), with a 3’ x 8’ grave approximately centered in that plot, upkeep of grass, and leveling of topography.

SECTION 2

The prices of plots will be fixed by the Cemetery Association, and no plot shall be considered reserved until payment for said plot has been received.

SECTION 2 – OTHER OFFICERS

The Board may appoint such other officers and agents as it shall deem necessary from time to time, who shall hold office for such terms, and shall exercise such powers, and perform such duties as shall be determined from time to time, by the Board.

SECTION 3 – PRESIDENT

The President shall be the chief executive officer of the association, and preside at all meetings of the directors. He shall have general active management of the business of the association, and shall ensure that all orders and resolutions of the board are carried into effect.

SECTION 4 – VICE PRESIDENT

The Vice President shall, in the absence or disability of the President, perform the duties and exercise the powers of the President, and shall perform such other duties as the Board of Directors shall prescribe.

SECTION 5 – SECRETARY

The Secretary shall attend all sessions of the Board of Directors and all meetings of the members and record all votes and minutes and all proceedings in the book kept for that purpose. He shall give, or cause to be given, notice of all meetings of the Board of Directors, and shall perform such other duties as prescribed by the Board of Directors.

SECTION 6 – TREASURER

The Treasurer shall have the custody of the association funds and securities, and shall keep full and accurate account of the receipts and disbursements in books belonging to the association, and shall deposit all monies and valuable effects in the name and to the credit of the association in such depositories as may be designated by the Board of Directors. He/she shall disburse funds of the association as may be ordered by the Board, taking proper vouchers of such disbursements, and shall render to the President and Directors, at the regular meetings of the Board, or whenever they may require it, an account of all transactions as Treasurer, and of the financial condition of the Association.

SECTION 7 – ACTUARY

In addition to the officers hereinbefore provided, the Board of Directors of St. Joseph’s Church may appoint an Actuary for the association. The Actuary shall keep a register of the burials in which he shall enter the date of the burial or cremation, the name, age, sex, nativity and cause of death, for every interred or cremated in any cemetery owned by the association, insofar as the facts can be ascertained from friends, attending physicians, or undertaker in charge, and in case of a pauper, stranger, or criminal deaths, from the public official directing the burial. The records maintained by the Actuary shall be open to public inspection, and the Actuary shall furnish to the State Board of Health, and the local health officials, when so required, an accurate summary of the records during any specified year.

SECTION 8 – VACANCIES

If the office of any executive officer, except the treasurer or actuary, become vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise; the directors then in office, although less than a quorum, by majority vote may choose a successor or successors, who shall hold office for the unexpired term with respect to which such vacancy occurred.

INTERMENT FEES

Burial Right Easement – Plots – With Monuments Flush with the Ground

St. Joseph’s Cemetery – Bagley, MN	\$200.00
Our Lady of Victory – Shevlin, MN	\$200.00

Burial Right Easement – Plots – With Monuments above the Ground Level

St. Joseph’s Cemetery – Bagley, MN	\$400.00
Our Lady of Victory – Shevlin, MN	\$400.00

Winter Burial – Additional Fee

St. Joseph’s Cemetery – Bagley, MN	\$100.00
Our Lady of Victory – Shevlin, MN	\$100.00

Disinterment – Opening of Grave for Removal

St. Joseph’s Cemetery – Bagley, MN	\$100.00
Our Lady of Victory – Shevlin, MN	\$100.00

INURNMENT FEES

Inurnment Right Easement – Plots – With Monuments Flush with the Ground

St. Joseph’s Cemetery – Bagley, MN	\$200.00
Our Lady of Victory – Shevlin, MN	\$200.00

Inurnment Right Easement – Plots – With Monuments above the Ground Level

St. Joseph’s Cemetery – Bagley, MN	\$400.00
Our Lady of Victory – Shevlin, MN	\$400.00

Inurnment (Additional) – Existing Burial Easement Plots

St. Joseph’s Cemetery – Bagley, MN	\$100.00
Our Lady of Victory – Shevlin, MN	\$100.00

Winter Inurnment – Additional Fee

St. Joseph’s Cemetery – Bagley, MN	\$100.00
Our Lady of Victory – Shevlin, MN	\$100.00

Fees shall be paid to St. Joseph’s Catholic Church, Bagley, MN. Inquiries shall be made to the Pastor of St. Joseph’s Church, Bagley, MN, or the St. Joseph’s/Our Lady of Victory Cemetery Association.

**ST. JOSEPH'S/OUR LADY OF VICTORY CATHOLIC CEMETERY
ASSOCIATION BY-LAWS**

**ARTICLE I
PURPOSES**

This association is hereby formed pursuant to the direction of the Pastoral Council of St. Joseph's Church, to assist and advise St. Joseph's Church in the establishment, operation and maintenance of a private cemetery pursuant to the following: Chapter 307 of the Minnesota Statutes, the 1983 Code of Canon Law, and the Minnesota Catholic Cemetery Policies & Procedures; as adopted by the Diocese of Crookston, Minnesota.

**ARTICLE II
MEMBERSHIP**

SECTION 1 - MEMBERSHIP

Membership in this association shall be limited to the members of the Board of Directors of this association and the Pastor, or his designee, of St. Joseph's Church, of Bagley, Minnesota.

SECTION 2 - TERMINATION

Membership in this association shall terminate upon termination as a member of the Board of Directors.

**ARTICLE III
DIRECTORS**

SECTION 1 - APPOINTMENT OF DIRECTORS

This association shall have a Board of Directors of not less than three, nor more than nine persons who shall be appointed by the Pastor of St. Joseph's Church of Bagley, Minnesota. A member of the Board of Directors so appointed, shall hold office for a term of three years, unless removed from the Board of Directors prior thereto. If the office of any director becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, the Pastor, or his designee, of St. Joseph's Church, shall choose a successor, who shall hold office for the unexpired term in respect of which such vacancy, occurred. Any member of the Board of Directors may be removed from the Board by action of the Pastor, or his designee, of St. Joseph's Church.

SECTION 2 - NOTICE OF ANNUAL MEETING

The Board of Directors shall hold an annual meeting during the month of April each year. Notice of the annual meeting shall be given to each director personally, or by mail, at least 10 days prior to the date of the meeting.

SECTION 3 - REGULAR MEETINGS

Regular meetings of the Board of Directors shall be without notice at such time as a majority of the members of the board may from time to time determine.

SECTION 4 - SPECIAL MEETINGS

Special meetings of the Board of Directors may be called by the President at any time, and shall be called by him whenever requested to do so by any member.

SECTION 5 - NOTICE OF SPECIAL MEETINGS

Notice of special meetings may be given to each director personally, or by mail, at least three (3) days prior to the meeting. The special meeting may be called without notice to the directors, if a full board convenes and all agree to the holding of the meeting at such time and place, and waive all rights of notice thereof. Any action which may be taken at a meeting of the Board of Directors may be taken without a meeting, if done in writing signed by all of the directors.

SECTION 6 - QUORUM

At all meetings of the Board of Directors, a majority of the board shall be necessary and sufficient to constitute a quorum for the transaction of business and the act of a majority of the directors present at the meeting, at which there is a quorum, shall be the act of the Board of Directors.

**ARTICLE IV
AUTHORITY OF DIRECTORS**

SECTION 1 - CONSENT OF PARISH PASTORAL COUNCIL

All action of the Board of Directors shall be subject to the consent and approval of the Parish Pastoral Council of the St. Joseph's Church. The Directors shall have such other authority as may from time to time be delegated to it by the said Parish Pastoral Council.

SECTION 2 - EMPLOYEES

The Board of Directors shall recommend to the Pastor of St. Joseph's Church, agents and employees for the operation and maintenance of the cemetery and advise as to their duties.

SECTION 3 - COMMITTEES

The Board of Directors may set up such committees, provide rules and regulations therefore, and appoint a chairperson thereof, as may from time to time be deemed necessary.

SECTION 4 - BOARD OF DIRECTORS

The Board of Directors shall recommend policies and procedures, generally consistent with The Minnesota Catholic Cemetery Policies & Procedures, adopted by the Diocese of Crookston, Minnesota, for the operation and maintenance of the cemetery.

**ARTICLE V
OFFICERS**

SECTION 1 - EXECUTIVE OFFICERS

The Board of Directors, at its first annual meeting, shall elect from its own number, a President, Vice President and Secretary, who shall hold office for one year and until their successors shall have been qualified in their stead. The Pastor, or his designee, of St. Joseph's Church, shall designate a treasurer for the association.