

**MEETING NOTICE:  
CEMETERY BOARD FOR VILLAGE OF WINNECONNE**

---

**Tuesday, September 13, 2016 @ 10:30 p.m. at Village Hall Municipal Center – Annex Room, to consider;**

Call to Order  
Public Participation  
Communications  
Approve Minutes from August 4<sup>th</sup>, 2016  
Operations Report – Mike Cook

**Old Business**

Perpetual Care Update/Discuss Investment Options  
Silver Maple Tree near Fuller Monument  
Water Fountain/Hose Bib  
Update on Ordinances and Rules & Regulations  
Headstone R&R  
– Discussion  
-Review Letter prior to sending out

**New Business**

Tree Planting October 15<sup>th</sup>

**Confirm next meeting date and adjourn**

Kirk Ruetten  
Public Works Director

Pursuant to WI State Statute 985.02(1)(b); notice is hereby given that Village Board Members may also be present at this meeting for informational purposes.

**Cemetery Board August 4 2016 2:30 p.m.**

Called to Order at 2:45

Members present: Falk, Lehr, and Krueger

Members absent: Fischer, Angell

Also present: Kirk Ruetten, Mike Cook, Mitch Foster, Joe Hoenecke, Bill Hinz

Public Participation - None

Communications - None

**Approve Minutes from June 7<sup>th</sup> 2016**

MOTION by Lehr, seconded by Krueger, to approve the June 7, 2016 Cemetery Board minutes as presented. Carried by voice vote.

**Operations Report – Mike Cook**

- Looking good.
- Few broken monuments.

**Old Business**

**Perpetual Care Update/Discuss Investment Options**

- Reviewed by Village Administrator.
- Ken Herdemann, will be attending the Finance and Personnel meeting.
- Recommend someone from the Cemetery Board attend.

**Silver Maple Tree near Fuller Monument**

- Reviewed by DPW Kirk Ruetten.
- Presented picture . ... worth 1000 words.

Fisher present at 2:46 p.m.

- Could monument be straightened? Moved?
- Cut the tree down? Beautiful tree.
- Talk to Twin City first before deciding.
- Could grind out roots?
- Difficult to remove tree. Last resort to remove the tree.

MOTION by Falk, seconded by Lehr, to contact Twin City Monument for recommendations about the monument without removing the tree. Carried by voice vote.

**Water Fountain/Hose Bib**

- Tabled. Checking on prices. Designs.

**Update on Ordinances and Rules and Regulations**

- Work in progress.

### **Hinz Donation for Tree Purchase**

- Discussion and location
- Mr. Hinz – looking for guidance. serviceberry; sunburst locust.
- Family would like on lot. Five lots . ... the center one has the headstone. Would like behind the headstone. Prefer locust.

MOTION by Falk, seconded by Lehr, to approve the Hinz donation of a locust tree with the coordination of Village staff for placement and installation. Carried by voice vote.

Mr. Hinz indicated it would not be done until next spring.

### **Headstone R&R (Replace and Repair)**

- Reviewed southeast corner of JWMA.
- Some of the headstones are not in the correct position.
- Would like them relocated to correct position.
- Twin City quoted \$60.00 per headstone . ... basically move from foot to head of lot.
- About 7 headstones. Village cost.
- Communication with owners/families before moving headstone.
- Then will have a nice straight line of headstones.
- Consensus to communicate to families first and then proceed.

MOTION by Krueger, seconded by Lehr, to send the letters to the families and headstone will be placed in the correct location at Village cost. Carried by voice vote.

MOTION by Falk, seconded by Lehr, to contract with Twin City Monument to move the headstones to correct position at a cost of \$60.00 per monument. Roll Call: Fischer, Krueger, Lehr, and Falk, ayes.

### **New Business**

#### **Community Garden Discussion**

- Reviewed by DPW Kirk Ruetten.
- 2.5 acres of cemetery property located on South 5<sup>th</sup> Avenue.
- Popular concept.
- Feeding deer.
- Fence – cost involved.
- What involvement from the Village
- Village Administrator – UW extension runs the one in Oshkosh.
  - o Village does not have staff
  - o No water
  - o Fencing
  - o Policing
- Love idea . . . not the right location.
- Any other location?
- Mitch – waiting to hear back from the UW extension.

**Restricted Donation – Flagpole Monument**

- Received a donation from David and Sharon Geurden in the amount of \$400.00.
- More individual donations may come.

MOTION by Lehr, seconded by Krueger, to restrict the \$400 donation for the cemetery flagpole monument. Carried by voice vote.

Next meeting – September 13<sup>th</sup> 10:30 a.m.

MOTION by Lehr, seconded by Falk, to adjourn. Carried by voice vote.

**3:34 p.m.**

Jacquín Stelzner, Secretary  
Winneconne Cemetery Board

DRAFT

**Cemetery Board.****(a) Appointment of Board.**

- (1) The Cemetery Board shall consist of six (6) members as follows: Three (3) members of the Village board, Village Clerk-Treasurer, and two (2) citizen members. The citizen members shall be of recognized experience and qualifications.
- (2) The members of the Village Board, appointed to the Cemetery Board, shall be appointed by the Village President and confirmed by the Village Board annually during the month of April.
- (3) One (1) citizen member shall be appointed each year for a two (2) year term of office.
- (4) The Village Clerk-Treasurer, by virtue of his/her office, shall be a member of said Board in his/her capacity as Treasurer for the purpose of disposition and handling of cemetery funds and maintaining lot ownership and burial records.

**(b) Vacancies.** All vacancies of the Cemetery Board shall be filled for the unexpired term in the same manner as appointed for the full term.**(c) Compensation.** No compensation shall be paid to the members of the Cemetery Board.**(d) Organization of Board.**

- (1) The Village President will appoint a Village Trustee to serve as Board Chairperson with approval of the Village Board. The Village Clerk-Treasurer shall be a non-voting member.
- (2) The Cemetery Board shall keep written records of the names of owners of all lots in plats, recordings of burial and other written records as required by law and conducive to a successful operation, a record of its proceedings including all actions taken, a copy of which shall be filed with the Village Clerk-Treasurer.
- (3) Three (3) members shall constitute a quorum, but one of said members at all times must be a citizen member. All actions shall require affirmative approval of a majority of the members of the Board.

**(e) Powers and Duties.**

- (1) The Cemetery Board shall have the exclusive power to employ expert advice and such staff and/or personnel as may be necessary, and pay for the services and such other expenses as may be required, necessary and proper to carry on the successful control and management of the cemetery and pay out of the cemetery funds under its discretion and control or out of

funds placed at its disposal through gifts or otherwise.

- (2) The Cemetery Board shall have the powers and duties prescribed to municipally owned cemeteries by Ch. 157, Wis. Stats., and all legislative enactments amendatory thereof or supplementary thereto and such other powers and duties which shall be vested in them from time to time by law or by the Village Board.
- (3) As far as possible the Cemetery Board shall utilize the services of the existing Village officials when necessary.
- (4) The Cemetery Board is hereby authorized to adopt rules governing its proceedings.
- (5) The Cemetery Board shall file copies of its meeting minutes with the Village Clerk-Treasurer.

## PREFACE

Winneconne Cemetery is owned and maintained by the Village of Winneconne for the benefit of all citizens. It was founded in 1871 by the Winneconne Cemetery Association which conveyed the cemetery property and trust funds to the Village in 1962. The Cemetery Association made several additions to the original plat between 1871 and 1962. There have been two additions under Village ownership; the John M. White Addition in 1969 and a two-acre land purchase in 1992, which has not yet been developed.

General cemetery operation is subject to provisions of Wisconsin State Statutes, Section 69.18 and Chapter 157, and the Village Code of Ordinances, Section 2-4-4. A Cemetery Board, consisting of five members appointed by the Village President and approved by the Village Board, together with the Clerk-Treasurer, oversees the maintenance of records and property and recommends rules, regulations and cemetery charges for approval by the Village Board.

This booklet contains cemetery rules and regulations established by the Village Board. They may be amended or changed as need arises. Current fees and charges are contained in a separate schedule, available on request.

Visitors are welcome to visit the cemetery. People requesting information on the cemetery should contact the Village office during regular business hours.

## PURCHASE OF LOTS AND OWNERS RESPONSIBILITY

Persons or their agents desiring to purchase a lot in the cemetery are referred to the office of Village Clerk-Treasurer, where maps and records are available on location, size, cost and other pertinent information on lot ownership. Upon making a lot selection, the purchaser will sign an agreement defining the lot description, cost with perpetual care and date that payment will be made.

Upon full payment of the purchase price of the lot and perpetual care, the Clerk-Treasurer will issue a cemetery deed, under seal, and a certificate of perpetual care, recording the deed and certificate in the cemetery records.

Lots or fractions of lots, for which lot deeds have been issued by the Village, shall not thereafter be divided except by consent of the Village. All lots are exempt from taxation and cannot be seized for debt, except those owed to the cemetery, nor can they be mortgaged. All repossessed vacant grave spaces shall be subject to the same fees and charges.

## TRANSFER OF LOT OWNERSHIP

Lot owners or legal heirs may resell or transfer ownership of lots by following the procedure applicable to the situation. Forms needed to complete the procedure are available in the Village office. Upon completion, the forms must be filed with the Clerk-Treasurer, along with applicable fee, and the reconveyance or transfer of lot ownership will be entered into the cemetery records.

1. A Cemetery Deed form must be completed if the owner(s) or heir(s) are selling said lot(s). The form shall be fully executed by the seller at no expense to the Village and a copy filed with the Clerk-Treasurer.

2. The Cemetery Board may agree to buy back a lot or parts thereof from the owner(s) or heir(s) at the original cost paid for the lot and perpetual care, if it can be determined there are no unmarked burials on said lot. The seller(s) shall return the original deed and perpetual care certificate to the Clerk-Treasurer upon completion of the transaction.

3. Owner(s) or heir(s) wishing to transfer ownership of lots or parts thereof, in the form of gift or bequest, must complete a Lot Transfer form and file a copy with the Clerk-Treasurer.

## MAINTENANCE OF LOTS

The Village of Winneconne assumes costs for permanent care of lots, roads, buildings, equipment and all trees, hedges and shrubs planted with the approval of the Cemetery Board. Funds for these costs are derived from income earned on investment of perpetual care funds and an annual budget allotment approved by the Village Board. The perpetual care fund contains money paid by the lot owner upon purchasing a lot.

Cemetery maintenance does not include the cost of repairing damage to grave markers through vandalism, acts of God or deterioration. This is the responsibility of the lot owner.

## LOT LANDSCAPING

No earth or turf shall be raised upon any grave above the general level of the lot. No hedges, fences, or enclosures of any kind will be permitted on or around lots. Boxes, containers, glass jars, bottles, toys, cans and other miscellaneous objects shall be not be placed on lots. If so placed, said objects will be removed by the Village without notice. All landscaping, care of lots and other work in the cemetery will be done by the Village.

## TREES AND SHRUBS

The planting of trees and shrubs on lots or parts thereof is allowed only with the consent of the Cemetery Board. All plant materials shall be planted in line with existing markers or in planting areas designated on the cemetery maps.

Lot owners may arrange with the Cemetery Board for removal of trees or shrubs planted on lots in previous years, that hinder the full usage of the grave site. The expense of the tree or shrub and stump removal will be paid by the lot owner.

## FLOWERS, OTHER DISPLAYS OR PLANTINGS

Fresh cut flowers may be used anytime and may remain until they become wilted or unsightly in the judgement of the cemetery caretaker. Potted plants may be set on lots without disturbing the sod. Artificial flowers are treated in the same manner as potted plants and must be placed in a vase or pot. Vines, ground cover or flowers planted on the grave are not permitted.

Lot owners will be asked to remove any other grave displays that interfere with mowing or are considered inappropriate by the Cemetery Board.

## HOURS AND OTHER RULES

The cemetery will be open to visitors at all times between the hours of 7 a.m. and dusk. The cemetery may be closed at the direction of the Village when weather, ground conditions or other circumstances may warrant such closing.

1. Dogs are not allowed in the cemetery.
2. The use of firearms, air-guns, bow and arrows, slingshots, explosives and weapons of every character upon the grounds, is strictly prohibited except in conjunction with military funerals.
3. The throwing of rubbish on the roads, or any part of the grounds is strictly prohibited. Receptacles are provided for waste.
4. Flowers, shrubs, trees, or other plants shall not be injured, cut or mutilated in any fashion.
5. Visitors shall use established roadways for access.
6. All markers, monuments or mausoleums shall not be moved, marred or vandalized.
7. The speed limit shall be 15 miles per hour.
8. Any person or persons found on the grounds after dusk are subject to arrest.
9. No intoxicating beverages or illegal drugs are permitted on the cemetery grounds.

## INTERMENTS

Interments are arranged through the Clerk-Treasurer's office during regular business hours. With favorable weather and ground conditions, two-day advance notice is required for the preparation and opening of a grave. A longer time may be required during times of adverse weather or ground conditions and the funeral director will be asked to arrange a reasonable extension. Under extreme conditions requiring vaulting until a grave can be opened, the Village will assume the vaulting fee and the funeral director shall assume all other related costs.

When the Clerk-Treasurer's office is closed for more than the regular two-day weekend or in the event of a midweek holiday, and the grave opening is desired for the day following such an occurrence, the funeral director shall give advance notice to the person on duty in Public Works and complete arrangements when the Clerk-Treasurer's office reopens.

The current schedule of grave opening fees is available in the Village office. Charges will vary for adult and baby burials on weekdays or on Saturdays. No burials will be made on Sundays or official Village holidays without approval of the Clerk-Treasurer. Grave opening fees shall cover restoration of the site after burial. The Village will assume no responsibility for the protection, maintenance, damage or vandalism to flowers, wreaths, or any items used in funeral or interment proceedings.

All graves shall be dug by the Village under the direction of the Public Works department. Depth of graves shall conform to the Wisconsin State Board of Health specifications. The interment of bodies of persons who have died of contagious disease shall be made in strict accordance with the rules of the State Board of Health.

A legal burial permit and the grave opening fee shall be presented at the Village office prior to interment.

All interments shall be made in a concrete burial vault. Airseal vaults and vaults made of other materials are not permitted.

The interment of two bodies in one grave will not be allowed, except in the case of a mother and infant or two small children buried in one casket, or two cremation burials.

Only human remains may be buried in the Winneconne Cemetery.

## DISINTERMENTS

A completed disinterment permit, issued by the Winnebago County Coroner office, is required before human remains are removed from the Winneconne Cemetery. When a body has been cremated and the ashes buried, no disinterment permit is required to move the ashes.

A disinterment permit is the only authority required by law to transport disinterred remains and reinter the remains. A burial permit is not required. No death certificate is required to obtain a disinterment permit because the original death certificate has already been filed with the state and the local registrar at the place where death occurred.

Wisconsin administrative codes and the statute covering this procedure is as follows:

H18.05 Disinterment: No human remains now interred or resting in a permanent vault or tomb shall be disinterred, transported and reinterred unless a disinterment permit is first obtained from the health authority having jurisdiction at the place of disinterment. The disinterment permit shall constitute authority to transport and reinter the disinterred remains. No death certificate shall be required to obtain a disinterment permit.

Disinterred corpses are declared dangerous to health and shall not be transported unless each corpse is accompanied by a separate permit from the local health officer for removal, showing the name, age, place, cause of death and medical attendant, the point to which is to be shipped, and the undertaker in charge and attached to such permit is the consent of the Department of Health and Social Services. Local health officers shall refuse a permit when the cause of death is given as heart failure unless the physician in charge states that the cause was not diphtheria.

A validated disinterment permit must be presented at Village office before any disinterment can take place. All removals will be made by the Village under the supervision of a licensed embalmer, according to Wisconsin State Statutes.

## CREMAINS

Cremation of a dead human body shall be considered as a final disposal of that body. No additional permit covering transportation, interment or other disposal of the ashes of a cremated body is required. Cremains will be interred at the current fee schedule. Cremains must be disposed of in a respectable way. Scattering or dispersal of cremains over public grounds is not allowed. Two cremains may be buried in a single grave space. One cremain may be buried in a crematorial grave space.

Disinterment of cremains requires permission of the Cemetery Board.

## MONUMENTS AND MARKERS

Grave markers and foundations will be set only by monument companies according to regulations specified by the Village. The Village will not construct or erect monuments, markers or bases, except as herein provided. The Village reserves the right to specify adequate foundations to support the specified monument. The top of the concrete foundation will be constructed flush with ground level. Whenever possible, all markers will be set with a five-inch margin.

A marker permit application, stating the size, type and desired location of said marker, must be filed with the Clerk-Treasurer's office at least one week before the intended installation. Upon issuance of marker permit, Village personnel will stake the approved location, a minimum of one working day in advance of intended installation date, stated on permit. The permit becomes void and fee forfeited if installation is not completed within thirty (30) days of date stated on the permit. A new application and fee will then be required to complete the installation. The lot must be paid for in full before the marker permit is issued.

All upright national and state veteran markers will be set by the Village. All others are the responsibility of the lot owner. The setting of monuments, stones and markers, and the transportation of all tools, materials, etc. within the cemetery shall be subject to the supervision and control of the Public Works Department. Unless special arrangements are made with the Village, such work will be conducted between the hours of 7 a.m. and 3 p.m., Mondays through Fridays. All work as outlined above shall be completed and debris removed immediately.

The Village will refuse to issue a monument permit for any monument or marker that in the opinion of the Cemetery Board will be unaesthetic in appearance. The size of the monument or marker must be in harmony with the size of the lot. All monuments must be set in line with other monuments or as otherwise directed by the Cemetery Board. Only two markers will be allowed on a grave space, of which one will be flush with the ground and of a size which meets the approval of the Cemetery Board.

Monuments or markers once placed on their foundations shall not be removed except by permission of the Cemetery Board.

## VAULTS AND MAUSOLEUMS

Construction of vaults and mausoleums will be permitted in accordance with the established rules and regulations as established herein. Construction plans for vaults and mausoleums shall be approved by the Cemetery Board before a construction permit is issued by the Village.

## OWNERSHIP RIGHTS OF INTERMENT

The lot owner or the owner's authorized agent shall have the right to use a lot or portion of a lot for burial purposes only in accordance with the terms of the Cemetery rules and regulations contained herein.

The lot owner shall have acquired the lot for interment of himself/herself and members of his/her family. However, the lot owner may grant written permission, which must be notarized and placed on file with the cemetery, for burial of other persons. A Burial Rights form is available in the Village office for this purpose. No corpse shall be interred in a lot except the corpse of one having an interest therein, or a relative, except by the consent of all persons having an interest in the lot.

The lot owner(s) may choose to enlarge the originally-platted grave spaces, thereby reducing the number of future grave openings possible, by filing a notarized burial plan with the Clerk-Treasurer.

Unless otherwise directed in writing and filed with the cemetery, the lot owner, his/her devisees, or his/her heirs, the cemetery will permit the interment of members of his/her family at the request of any interested person upon proof of eligibility for burial as follows:

1. The surviving spouse of the lot owner shall have the first right to interment or to direct the right of interment.
2. When there is no surviving spouse, the devisees, or heirs of the owners, may by agreement in writing, determine who among them shall have the right of interment or direction for interment, said agreement shall be filed with the Clerk-Treasurer prior to any interments.
3. In the event of the death of the owner, when his/her heirs shall not have arranged for future interments, then the heirs, as the case may be, of such owner, shall have the right to interment in order of their need.

In case of death of a lot owner, when the cemetery lot is disposed of through a probate proceeding, a certified copy of the final court document assigning the lot shall be filed with the Village office. If there is an unprobated will, a certified copy of the will must be delivered to the Clerk-Treasurer before the Village will recognize the change of ownership. If the deceased lot owner left no will, and there is no probate, satisfactory proof of descent must be provided. It is recommended that the lot owner(s), in making their wills, include a provision covering the cemetery lots and devise same to one person.

## RIGHTS OF VILLAGE EMPLOYEES

The Village reserves the right for its workforce in the performance of normal cemetery operations to enter upon, across or through any lot in the cemetery.

The Village, or its employees, assumes no liability for damages to property or of person, or for physical or mental suffering arising out of the performance of its normal operations, or for loss by vandalism or other acts beyond its reasonable control.

The Village reserves the right to construct, change or close roadways, watermains and other physical public properties of the cemetery.

## SPECIAL REGULATIONS

Only flush markers with ~~a four-inch margin~~ are permitted in the John M. White Memorial Addition. No permanent plantings such as trees and shrubs are permitted on cemetery lots in the John M. White Memorial Addition.

Adopted May 15, 1997  
Amended January 13, 1998  
Amended November 12, 1998

# VILLAGE OF WINNECONNE



Office of  
Cemetery Board

Winnebago County . . . *The Community of Opportunity* . . . Winneconne, Wisconsin

The John M. White Memorial Addition to the Winneconne Cemetery was established in 1969 on four acres of land donated by Lola White in memory of her grandfather. The cemetery was designed and platted as a place of simple beauty and cherished memories.

To maintain this concept, the Winneconne Cemetery Board has set down guidelines for lot owners in the White Memorial Addition.

1. Grave markers are to be a flush-type set with 4 inches of concrete on all sides. When purchasing a marker, the lot owner should advise the sales representative to obtain a marker permit from the Village Cemetery office.
2. Winter grave decorations are permitted between October 15 and April 15. Plants and flowers in movable and durable containers are permitted between May 1 and October 15.
3. No permanent plantings such as trees, shrubs or bushes are permitted on the graves. They do not conform to the original design of the cemetery and could encroach on a future grave site as they grow.
4. Persons wishing to plant a living memorial should contact the Village Cemetery office and make arrangements to locate it in a designated planting area.

WINNECONNE CEMETERY BOARD

To Whom It May Concern:

Recently, Village of Winneconne staff has been reviewing the cemeteries located throughout the Village due to inconsistencies around the placing of headstones and grave markers. A headstone or grave marker for a loved one of yours has been identified as one we would like to reposition to the correct location. The Village will take care of this work at our cost. Our goal is to work to have these headstones/markers repositioned properly by Labor Day this year.

I am writing this letter in order to let you know ahead of time that this corrective action will be taking place and to allow for any questions or comments from you.

We believe in order to have a better overall facility, we must first correct mistakes and inconsistencies from previous practices first. Our first step is to place the headstones and grave markers properly, then we will look at improving the facilities greenery and roadways. We also understand the sensitivity and importance of one's final resting place and hold those facts close to our heart when we make improvements to the facilities.

As I stated above, if you have any concerns or questions, please don't hesitate to the Village Hall at (920) 582-4381.

Regards,

Edward Fischer

Cemetery Board Chair

Village of Winneconne