

BYLAWS



WEST POINT CEMETERY DISTRICT

290 Cemetery Lane
West Point, CA 95255
(209) 293-1444
www.wpcemetery.com
wpcemetery@volcano.net

First adopted: January 3, 2023

Revised March 5, 2024

WEST POINT CEMETERY DISTRICT BYLAWS

Name of the District

The name of the District shall be “West Point Cemetery District”

Office of the District:

The West Point Cemetery District office is located at 290 Cemetery Lane, West Point, California 95255, United States.

The District’s mailing address is P.O. Box 438, West Point, California 95255. The District’s contact telephone number is (209) 293-1444.

The Board of Trustees for West Point Cemetery District finds and declares that it has need for a set of rules and bylaws governing the meetings of the Board of Trustees, officers, committees, and other miscellaneous items relating to the Board administration.

BOARD OF TRUSTEES:

Officers:

The offices of Chairman and Vice Chairman, and three offices of Trustees shall be elected annually at the last regular meeting of each Calendar year. In the Chairman’s absence, or inability to act, the Vice Chairmen shall perform all acts and duties of the Chairman. The three offices of Trustee shall all be of equal stature. The term of office for all offices of the Board shall be 4 years.

Chairman:

The Chairman or, in case of absence, the Vice-Chairman, shall preside at all meetings of the District. Except as otherwise authorized by the District, the Chairman shall submit such recommendations and information as he may consider proper concerning the business affairs and polices of the District.

Clerk:

The Clerk shall keep the records of the District, shall act as Clerk of the meetings of the District, record all votes and shall keep a record of the proceedings of the District in a journal of proceedings to be kept for such purpose and shall perform all duties incident to his or her office. He/She shall keep in safe custody, all contracts and instruments authorized to be executed by the District.

Additional Duties:

The officers of the District shall perform such other duties and functions as may from time to time be required by the District or the by-laws or rules and regulations of the District.

WEST POINT CEMETERY DISTRICT BYLAWS

Vacancies:

All vacancies that occur regarding the Board of Trustees shall be filled by Calaveras County Board of Supervisors according to the provisions of California Government Code § 1780, et.seq., and any other code sections of the California Government Code and/or Calaveras County or special district's codes then applicable. For every vacancy the District Board of Trustees shall review and nominate approved candidates for consideration by the Board of Supervisors.

Regular Meetings: Regular meetings of the Board shall be held on the First ***Tuesday*** of each month, at the hour of 6:00 p.m.; provided that, if said ***Tuesday*** falls upon a holiday designated in Section 6700 of the Government Code of the State of California, such regular meeting shall be held at 6:00 p.m. on the next business day.

Special Meetings: Special meetings of the Board may be called at any time by the Chairman or by a majority of the members of the Board, by delivering personally, or by mailing written notice to each Board member, each local newspaper of general circulation, and radio or television stations which have requested notice in writing. Such notices must be delivered personally or by mail at least 24 Hours before time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Board. Such written notice may be dispensed to any member who at or prior to the time the meeting convenes files with the Clerk a written waiver of notice. Such waiver may be given by telegram. Written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Notice shall be required pursuant to this section regardless of whether any action is taken at the special meeting. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.

Notices Of Meetings: Notice of the regular meetings of the Board shall be in conformance with the Ralph M. Brown Act, located at California Government Code § 54950 et seq. Notice of special meetings of the Board shall be given as provided therein. Notice of all adjourned meetings, regular or special, shall be given as provided therein.

Place Of Meetings: All meetings of the Board shall be held in the District offices, at 290 Cemetery Lane, West Point, Calaveras County, California, provided, that if, it shall be unsafe to meet in the District Offices, the meetings shall be held at such a time and place as is designated by the Chairman.

Meetings Open To Public: All meetings of the Board shall be open and public, and all persons shall be permitted to attend all meetings, except Closed sessions of the Board held in accordance with law, i.e. Brown Act.

Public Participation: Oral public comment and participation will be normally limited to items marked "Public comment" on the Agenda. All other comments should be submitted in writing to the Clerk prior to the meeting for reproduction and distribution to the Board. Any person may address the Board during the Public Comment portion of the meeting on any matter within the jurisdiction of the Board. The Chairman requests that each person addressing the Board limit himself to five (5) Minutes.

WEST POINT CEMETERY DISTRICT BYLAWS

Adjourned Meetings: The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Meetings having less than a quorum of the Board may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Clerk may declare the meeting adjourned to a stated time and place and shall cause a written notice of the Adjournment to a stated time and place and shall cause a written notice of adjournment to be given in the same manner as provided hereof.

A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned, regular special or adjourned special meeting was held within 24 hours after the time of adjournment. When a regular or adjourned meeting is adjourned as provided in this section, the resulting regular adjourned meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held it shall be held at the hour specified for the regular meeting.

Minutes: Minutes of the Board meeting shall be prepared and mailed to each Trustee prior to the next regular Board meeting. Such minutes shall not include the text of ordinances and resolutions adopted, which may also be recorded in separate volumes by the Clerk.

Board Agenda: All requests from the public for an item to be placed on the Agenda must be submitted to the Clerk at least four days (Excluding Weekends & Holidays) prior to the meeting, unless it is an emergency as determined by the Board.

Standing Committees: The Chairman shall appoint the members of committees as deemed necessary and proper. Committee members shall meet at such times and places as directed by the Chairman or as deemed convenient by the members of the committee.

Amendments to by-laws: The by-laws of the District shall be amended only with the approval of, at least, three Trustees of the District at a regular or special meeting.

WEST POINT CEMETERY DISTRICT BYLAWS

WEST POINT CEMETERY BOARD GROUNDSKEEPER EMPLOYMENT GUIDANCE

Authorized maximum hours per month: 80;

Hours subject to increase only with Board of Trustees approval;

During wildfire and serious weather emergencies, Groundskeeper is not expected to work the normal schedule and shall only be paid for hours actually worked. The employee may make up hours so missed by working additional hours the month following, but may not exceed an 80 hrs/month average for the two months. Hours authorized shall be subject to annual review and authorization by the Board.

Employee shall receive an annual sick leave benefit of 40 hours, awarded at the beginning of each calendar year, in accordance with State Law and/or Regulations. Unused sick leave shall be forfeit at the end of the year and not be carried over.

Employee shall receive an annual leave benefit of 40 hours, or average of two weeks worked, hours to be taken at his discretion. The Board shall approve leave in advance, or, in the case of an emergency, the Board shall be notified as soon as possible. Employee shall avoid taking leave if it would constitute a problem for District operations.

GROUNDSKEEPER RESPONSIBILITIES:

Shall operate and maintain all District facilities, to wit, Sandy Gulch and West Point cemeteries.

Shall be responsible for the safe operation and maintenance of all District tools, saws, mowers, trailers, and backhoe.

Shall record a maintenance and repair history so it can be reviewed by the Board to make decisions about replacement or disposal.

Shall maintain a daily log of activities, burials, and significant events; Trustees shall also make entries to log when performing cemetery duties on site.

Shall participate in online safety programs as made available by Special District Risk Management Agency (SDRMA).

Employee shall utilize safety equipment and procedures as required or advised during daily operations.

Examples: Boots for foot protection;

Long pants for leg protection;

Ear protection while operating high-decibel equipment;

Bump cap for head protection;

Mask for dust or respirator for fume protection;

Goggles, safety glasses, or face shields for face protection;

Gloves for hand protection;

WEST POINT CEMETERY DISTRICT BYLAWS

Passed and adopted by the Board of Trustees of the West Point Cemetery District at its regular meeting this 5 March 2024, by the following Vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Julio Stanford Guerra
Chairman, Board of Trustees
West Point Cemetery. District

ATTESTED:

Jill Jenkins
Clerk to the Board
West Point Cemetery. District
