Resolution 2016-29
Clay County Board of Supervisor Support for the Adoption of the Pioneer Cemetery Ordinance No. 1.8

WHEREAS, the Clay County Board of Supervisors deems it necessary for the purposes of promoting the health, safety, and general welfare of Clay County, Iowa and its citizens to enact this ordinance, and

WHEREAS, the Clay County Board of Supervisors have made recommendations in relation to the Clay County Ordinance establishing a Pioneer Cemetery Commission to assume jurisdiction and management of pioneer cemeteries in Clay County, Iowa. , and

WHEREAS, the Board of Supervisors has considered the proposed ordinance and has held public hearings thereon the 27st day of September, 2016 and the 11th day of October 2016; and

WHEREAS, the Clay County Board of Supervisors supports the adoption of the proposed ordinance;

NOW THEREFORE BE IT ENACTED AND ORDAINED:

Ordinance No. 1.8
Establishing a Pioneer Cemetery Commission

Ordinance 1.8

Establishing a Pioneer Cemetery Commission

1. Pursuant to Iowa Code Section 331.325, a Pioneer Cemetery Commission is hereby established to assume jurisdiction and management of all pioneer cemeteries in Clay County, Iowa, except for those cemeteries that are managed and/or regulated pursuant to Chapters 566 and 566A of Iowa Code.

2. The Commission shall consist of five persons, residents of Clay County, Iowa, appointed by the Board of Supervisors as follows: Two of the members shall be appointed for the term expiring December 31, 2017, two for a term expiring December 31, 2018, and one for a term expiring December 31, 2019. Their successors in all cases shall be appointed for a term of three years, and all appointments to fill vacancies shall be for the unexpired term.

3. The Commission shall select a Chairman, Vice Chairman, Secretary, Treasurer and such other officers, as the Commission shall deem necessary.

4. The Commission shall have authority to propose such rules and regulations governing its organization and procedures as it shall deem necessary. These rules and regulations shall become effective upon approval by the Clay County Board of Supervisors.

5. The Commission shall submit a proposed budget including the amount of available funds and proposed expenditures to the Clay County Auditor no later than January 31 of each year.

6. The Commissioners shall receive no compensation for their services as such, but may be reimbursed for necessary expenses incurred in the performance of their duties.

Repealer. All ordinances or parts of ordinance in conflict with this ordinance or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Severability Clause. If any section, part or provision of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.
Effective Date. This Ordinance shall be in full force and effect after its passage and publication as provided by law.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, 11th day of October, 2016 and the vote thereon being as follows:
Ayes: Supervisors Anderson, Brockshus, Matthews, Skow and Swanson
Nays: None.
Abstentions: None.

/s/ Barry A. Anderson, Chairperson
/s/Marjorie A. Pitts, County Auditor