

Our Mission...

...to be responsible stewards of the public trust, to strive for excellence in public service, and to enhance the quality of life for all.

City of Wylie
Cemetery Advisory Board
Bylaws
Rules of Procedures



1. Statement

- 1.1. It is hereby declared that appointment to the Cemetery Advisory Board is a distinct honor and the trust imposed in the appointee involves the corresponding obligation of the appointee to serve the community by regular attendance and participation in the proceedings of the body.
- 1.2. The Advisory Board has the responsibility of being an advocate for the preservation of historic cemeteries and as advisors on policies and procedures of all municipally owned cemeteries.

2. Creation and Membership

- 2.1. The Cemetery Advisory Board was created by Ordinance No. 2021-21, and serves at the will of the City Council.
- 2.2. The Cemetery Advisory Board shall consist of seven (7) regular members who will serve for terms of two (2) years. A board member shall generally be limited to three consecutive full terms, per Ordinance 2020-04. The members will be qualified voters and shall not be an employee of the city. Each board member shall have any other qualification as the City Council deems necessary and appropriate.
- 2.3. In accordance with State law, the members are required to complete Open Meetings training and receive a Certificate of Completion within the first ninety (90) days of first year appointment. This may be taken online via the Office of Attorney General's website (www.oag.state.tx.us). The Office of the Attorney General offers free video training courses to ensure that all elected and appointed government officials have a good command of both open records and open meetings laws.

3. Officers

- 3.1. The board shall, at the first meeting after July 1st (and at such other times as these offices may become vacant), select from among its members a Chairperson and Vice-Chairperson to serve for a period of one (1) year.
- 3.2. In the absence of both the Chairperson and Vice-Chairperson during a meeting, the remaining board members shall elect an Acting Chairperson.

4. Officer's Duties

- 4.1. The Chairperson shall preside over all meetings and briefing sessions, and perform all duties as required by law.
- 4.2. The Vice-Chairperson shall assume all duties of the Chairperson in the absence of the Chairperson.

5. Powers and Duties of the Board

- 5.1. The Cemetery Advisory Board shall make recommendations to the City Council and assist City staff in the establishment of essential policies, rules, and regulations relating to the planning, operation, preservation, care, and maintenance of municipally owned cemeteries.
- 5.2. Establish rules and procedures to be adopted by the Governing Body.

- 5.3. Encourage public outreach/education/awareness programs.
- 5.4. Recommend/encourage appropriate repairs and cleaning.
- 5.5. The Board shall hear all grievances or disputes brought forward by grave or plot owners, who have not been satisfied by the resolution provided by the staff liaison. If the Board cannot provide an adequate solution, the grievance or issue is to be brought to the governing body for final decision.
- 5.6. The Board shall not have the power to obligate the city for funds and/or expenditures or incur any debt on behalf of the city.
- 5.7. Recommend acceptance of donations for the continued support and maintenance of municipally owned cemeteries
- 5.8. Members of the Board may provide services to any municipally owned cemetery, distinct from their duties as Members of the Board, for non-monetary compensation.
- 5.9. The Board shall report to the council annually the revenue and expenditures of operations and maintenance of municipally owned cemeteries.
- 5.10. The Board shall perform all other duties as the City Council may direct

6. Rules of Order

- 6.1. The Chairperson shall rule on all points of order.
- 6.2. The Board may overrule the Chairperson on points of order by a two-thirds (2/3) vote of members present.
- 6.3. Any provisions of these rules not governed by City Ordinance may be temporarily suspended by a favorable two-thirds (2/3) vote of all members of the board, whose vote shall be entered upon the minutes.

7. Quorum

- 7.1. A quorum shall consist of four (4) members.
- 7.2. A majority vote of the members present at a meeting shall govern the auctions of the Board.
- 7.3. No matters may be handled without the presence of a quorum.

8. Agendas

- 8.1. An agenda shall be prepared by city staff for each meeting of the Cemetery Advisory Board. A copy of the agenda shall be posted in the Municipal Complex as required by law, as well as on the website.
- 8.2. There shall be attached to each agenda item, a report of matters pending further action by the Board.
- 8.3. All regular and special meetings shall follow, as closely as possible, to the printed agenda. The agenda should include, but is not limited to the following;
 - a. Ratification of Minutes;
 - b. Citizens' participation on items not on the agenda;

- c. Executive Session, as needed;
- d. Consent agenda;
- e. Items for individual consideration;
- f. Breaks at the discretion of the Chairperson;
- g. Board member or Staff comments on general business;
- h. Adjournment.

8.4. Agendas may be amended by the Chairperson as to order of items, but not as to content, unless overruled by a majority of the members present.

9. Minutes of Meetings

- 9.1. Minutes of all regular and special meetings shall be kept by the Secretary, and are subject to amendment and ratification by the Board at the next regular meeting.
- 9.2. The minutes of the Board's proceeding shall show the overall vote, or if absent or failing to vote, shall reflect that fact.

10. Regular meetings

- 10.1. The Board shall meet on the first Thursday of each month at 6:00 pm in the Council Chambers of the Municipal Complex, unless noted otherwise. All meetings shall be open to the public, and the public is encouraged to attend.
- 10.2. Any board member missing three (3) consecutive regularly scheduled meetings without prior notification to Staff and/or a valid reason, which may include family emergency, illness, or other reasonable cause, may be subject to dismissal from the Board by the City Council.
- 10.3. The Board shall have technical and logistical support provided as designated by the City Manager.

11. Special Meetings

- 11.1. Special meetings may be called by the Chairperson, or at the request of two (2) or more members, or may be scheduled by a majority of the Board at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.
- 11.2. All members must be notified of any special meeting by giving written notice to all members by an email address of record at least seventy-two (72) hours before the meeting, and the notice must specify the purpose of the meeting.
- 11.3. Special meetings must be posted in accordance with the open meetings act.

12. Addressing the Board

- 12.1. Persons desiring to address the Board shall complete a "Request to Speak" card and submit the card to the Secretary.
- 12.2. The Secretary will sort the speaker cards by agenda item and deliver them to the Chairperson.
- 12.3. The Chairperson will refer to the speaker cards for comments on items not on the printed agenda, individual agenda item comments.

- 12.4. Persons who note on a speaker card their desire to address the board will be called to the podium by the Chairperson at the appropriate time and will follow the guidelines of Ordinance 2019-29 as outlined below when addressing the Board;
 - a. Approach the podium, state their name and address and whether or not they are representing a person, group, or organization;
 - b. Speak so that all present in the room may hear clearly;
 - c. Address all statements and questions to the Chairperson;
 - d. Be courteous in language and deportment;
 - e. Be concise and focused in their Comments;
 - f. Group comments should not exceed 6 minutes, individual comments should not exceed 3 minutes unless an interpreter is needed, in which case 6 minutes is allowed.
- 12.5. The Chairperson will read into the record the names of persons who filled out a speaker card in support of or in opposition to an agenda item but did not wish to address the Board.
- 12.6. The Chairperson may interrupt an individual to redirect or terminate remarks when they are not relevant to the matter before the Board, or when the Chairperson determines the remarks to be out of order.

13. Evidence

- 13.1. Only relevant evidence and testimony will be received.
- 13.2. Petitions and other physical evidence should be submitted to the Chairman of the Board. Petitions may not be read in full into the record, but may be noted into the record.
- 13.3. Ex Parte Communications
 - a. Any Board member having new factual information regarding regular meeting or work session agenda items shall make that information known to all Board members.
 - b. Board members shall not make voting commitments prior to hearing all submitted evidence regarding meeting agenda items.

14. City Staff Responsibilities

- 14.1. City staff shall be responsible for providing the Board with the necessary professional, technical, and clerical services, including:
 - a. Prepare and submit the agenda with staff reports and any special items as directed by the Chairperson;
 - b. Introduce and factually explain each item on the agenda;
 - c. Coordinate the services of all City Staff and other sources of public information for and on behalf of the Board;
 - d. Maintain a true copy of all Board proceedings;
 - e. Maintain all Board records;
 - f. Attend all official correspondence and communications to and of the Board.

15. Written Request Required

- 15.1. Every proposal submitted for Board action shall be made in accordance with approved application procedures from the appropriate Ordinance or Regulations from the City. The proposal shall be complete in all respects before being accepted for filing.

16. Conflict of Interest Rules

- 16.1. Conflict of Interest. Should any member of the Board feel he/she has a conflict of interest with an agenda item before the Board, they should openly declare so at the introduction of the item. They are thereby prohibited from discussing, participating in, or voting on the item in question. They shall also fill out a Conflict of Interest form and file it with the Secretary.
- 16.2. Abstention. Should any member of the Board choose to abstain from voting on any question before the Board where no declared conflict of interest exists, their vote shall be recorded as an affirmative vote in the official minutes.

17. Motions

- 17.1. A motion may be made by any member. A second to the motion shall be required before an item is put to a vote.
- 17.2. All votes shall be by a simple majority of members present, except as otherwise stated in these rules of procedure.
- 17.3. When fewer than all the members are present for voting and when all motions for a given application fail to carry by a majority vote, consideration of the application shall be continued under this rule to the next regular meeting, to the extent allowed by law. Failure of the Board to secure a majority concurring vote at said next regular meeting shall be recorded in the minutes as a denial of the proposal under the rule.
- 17.4. When a vote is required by state law or other requirement, and fewer than all members are present, and a simple majority is not reached, the vote shall be recorded as a denial.

18. Suspension of Rules of Procedure

- 18.1. Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law or home rule charter, and provided that not less than two-thirds Board members vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.

PASSED AND APPROVED BY THE CEMETERY ADVISORY BOARD OF THE CITY OF WYLIE THIS _____ day of _____ 2021.

, Chairman

, Vice-Chairman

Filed in the Office of the City Secretary this _____ day of _____, 2021

Stephanie Storm, City Secretary
City of Wylie, Texas