

**Constitution of the Blanco Historic Cemetery Association**  
A Non-Profit Organization  
P.O. Box 473, Blanco, Texas 78606

December 5, 2011 revision  
This Constitution replaces the Blanco Historic Cemetery Association (BHCA)  
Constitution dated March 2010.

**PREAMBLE**

After extensive search and communication with the prior directors, State of Texas, and Blanco County, a copy of the Association's original Constitution or Bylaws could not be located. Consequently, operation of the BHCA will be in accordance with the following Constitution and current Bylaws. Should the Constitution or Bylaws mentioned in Association records (probably dated July 23, 1963) be found, the content of such older documents will be compared to the current ones, and any conflicting content will be adjusted at that time and presented at the subsequent annual membership meeting.

**ARTICLE I. - NAME and ADDRESS OF RECORD**

With its 2005 historic designation and certification, and the placement of the historic medallion in 2008 at the Blanco Cemetery, the Association name shall be amended to be the BLANCO HISTORIC CEMETERY ASSOCIATION (BHCA). The mailing address is P.O. Box 473, Blanco, Texas 78606, and the physical location is 401 Chandler Street, Blanco, Texas 78606.

**ARTICLE II. - PURPOSE**

The Blanco Historic Cemetery Association and its Executive Board of Directors (the Board) was created and organized as a non-profit Association established solely for the purpose of conducting all general business affairs pertaining to the Cemetery, including maintaining the graves of early settlers of Blanco County, Texas, and their descendants who are, or will be buried in the Blanco Historic Cemetery of Blanco County, Texas, and to preserve, erect and maintain such fences, roads and walkways as may be necessary to such care; providing for the disposal of human bodies or human cremated remains (cremains) by burial, and for the purpose of conducting all business and affairs pertaining to the cemetery operations and grounds maintenance.

The Blanco Historic Cemetery Association was created and organized for benevolent purposes, thus, it is the fervent hope of the membership that all members and Directors of the Association will volunteer their services, time, effort, and support to serve on the Board or volunteer in carrying on this important community work. The Association is not permitted to engage in any business not necessarily incident to these purposes.

- (A) The Association's assets and income will be disposed of only in one or more of the following ways:
1. For the ordinary and necessary expenses of operating, maintaining, and improving the cemetery;

2. As payment for the acquisition of property for expansion of the cemetery grounds; and
3. For creating a fund to provide a source of income for the ongoing maintenance of the cemetery or a reasonable reserve for any ordinary or necessary purpose.

The Association may accept contributions for the foregoing purposes. Contributions for a specifically designated purpose shall be accepted and used for such purpose as the Board of the Association finds such purpose acceptable and within the purposes established under these Articles.

- (B) Payments may be made for amortization of indebtedness on the purchase of land, but may not be in the nature of profit distribution. The Board of the Association must report to the membership methods used to finance the purchase of the Cemetery's real property and provide evidence that the purchase price of the land at the time of the sale to the cemetery was not unreasonable, but was comparable to other land sales in the county.
- (C) The Board may use other means and methods as the Board of the Association may from time to time determine to be appropriate for the accomplishment of the specific purpose for which this Association is organized and which are not contrary to law or to the other terms and provisions hereof.

All the properties and income of the Blanco Historic Cemetery Association are hereby permanently and exclusively dedicated and devoted to benevolent purposes and to that end the Board shall hold, invest, reinvest, protect, manage, and control such property and apply the income arising therefrom as they may or shall from time to time determine and in such manner as they may deem advisable for the aforesaid purposes.

The business of this Association shall not be conducted for personal financial gain and no part of its earnings shall inure to the benefit of any private shareholder, member or individual. Any receipts of this Association in excess of the expenses of operating shall be placed in either an operating fund for future operational expenses, a reserve fund for designated repairs or improvements, or in an ongoing maintenance fund with the interest dedicated for future operational expenses

### **ARTICLE III. - MEMBERSHIP**

**III.1 - Membership Criteria** All adult persons owning plots in the Blanco Historic Cemetery or having a father, mother, grandfather, grandmother, sibling, or child who is buried in the cemetery are members of the Association. To purchase a plot the following requirements must be met (1) proof that the individual or spouse was either born or reared in Blanco County, or provide to the Board evidence of owning property or being a resident of record in Blanco County; or (2) having a father, mother, grandfather, grandmother, sibling, or child who is buried in the cemetery.

**III.2 - Member Voting Privileges** All members of the BHCA shall be entitled to vote at annual meetings and special meetings in the election of its Board of Directors and upon any other pertinent matters except as specified in Article V.3 of the Constitution.

## ARTICLE IV. - THE EXECUTIVE BOARD OF DIRECTORS

**IV.1 - Titles** The Board shall consist of a minimum of five (5) and a maximum of nine (9) Directors. At a minimum, there shall be a President, a Vice-President, a Secretary, and a Treasurer. Directors shall be selected by the Board to serve in specific offices for a one (1) year term and perform the duties prescribed by current Bylaws, and by the parliamentary authority adopted by the Association (Robert's Rules of Order).

**IV.2 - Terms of Office** Directors shall be elected by the membership for a two (2) year term. Terms should be staggered two year terms to maintain "institutional knowledge" within the Association. Terms of office begin at the close of the annual meeting at which they are elected. Directors elect their officers immediately following the general membership meeting.

**IV.3 - Replacement / Removal of a Director** Any officer/director unable to fulfill his/her term of office shall be replaced by the means specified in the Bylaws. (See article IV.7 in the Bylaws)

## ARTICLE V. - MEETINGS

**V.1 - Annual Member Meetings** The BHCA annual membership meeting shall be the fourth (4<sup>th</sup>) Saturday in February of each year. The purpose of the meeting shall be to elect Directors as terms expire, to receive reports from the Directors for the membership to hear, to obtain current membership contact information, and for any other business that may arise. BHCA members must be present in order to vote at this meeting. No proxy votes are allowed. The only exception is specified in Article V.3 of this Constitution.

**V.2 - Special Membership Meetings** Special membership meetings may be called by the President or by the Board, with the purpose noted in the call. Notice for such a meeting shall be given by posting the date, time, and purpose on the cemetery office bulletin board with seven (7) calendar days notice. BHCA members must be present in order to vote at this meeting. No proxy votes are allowed.

**V.3 - Board of Directors Meetings** Directors' meetings may be called by the President or by the Board. These meetings shall be open to the membership. If business to be covered is deemed personal in nature (a director or member concern) or a personnel matter the Board will retire to a closed session. Voting at these meetings will be limited to the members of the Board.

**V.4 - Director Quorum** A majority of the Board shall constitute a quorum for the purpose of any meeting.

**V.5 - Membership Quorum** A minimum of 14 members (and a quorum of Directors) must be present to vote on changes to the Constitution, or to remove a director.

**V.6 - General Motions** Only a simple majority is needed to pass or approve a motion.

**V.7 – Notifications of Meetings** Meeting notifications will be publicized on the cemetery bulletin board. They may also be publicized by notices in the newspapers, email, telephone, etc.

**ARTICLE VI. - COST OF MEMBERSHIP**

**VI.1 - Burial Plot Purchase** Individuals meeting the membership criteria (Article III.1 of this Constitution) may purchase one or more burial plots at the current stated rate specified in the Bylaws. BHCA will purchase unwanted plots from the owner at the original purchase price. In order to maintain accurate ownership records, burial plots may not be reassigned to any other persons without the approval of the Board.

**ARTICLE VII. - ASSOCIATION RULES AND REGULATIONS**

**VII.1 - Amendments to the Cemetery Rules and Regulations** The Board may amend, add to, revise, change and/or modify the Association Rules and Regulations, so long as they continue to comply with this Constitution, current Bylaws, statutes, laws and ordinances of agencies of jurisdiction which govern the cemetery management.

**ARTICLE VIII. - AMENDMENTS TO THE CONSTITUTION**

This Constitution can be amended at any annual or special meeting of the Association by a 75% vote of directors and members, with at least 14 members in attendance (19 total). Proposed amendment(s) must be submitted by a member to the Board, in writing, with at least sixty (60) days notice. Proposed amendment(s) must be posted on the cemetery bulletin board for at least thirty (30) days. The proposed amendment(s) may also be publicized by notices in the newspaper, email, telephone, etc.

This Constitution was approved by the Directors and the membership of the Blanco Historic Cemetery Association on this the 25th day of February, 2012.

Attested by:

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Gail McClellan, President/Director

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Diane Hostetler Vice-President/  
Director

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Connie Russell, Secretary/Director

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Dennis Moore, Treasure/Director

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Rebecca Howerton, Grounds Superintendent  
/Director

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Clara Gourley, Director