



LINCOLN COUNTY MONTANA

Resolution 2021-28

A RESOLUTION TO CREATE A CEMETERY BOARD FOR THE MANAGEMENT OF THE FORTINE/TREGO CEMETERY DISTRICT.

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. Lincoln County owns the property known as the historic Fortine/Trego Cemetery District: Grant Deed Book353/Page 911, recorded July 21, 2014.
2. A Fortine/Trego Board, although has been functioning for many years, has never been officially established since the Grant Deed was recorded.
3. The Board of County Commissioners recognizes the need to institute a board to better advance the intent for which the property was dedicated to Lincoln County.
4. Lincoln County contributes to the operation, care, and maintenance of the cemetery and should have representation in managing of the property through a cemetery board.
5. The Fortine/Trego Cemetery is a limited resource that should be conserved, to the extent possible, in order to attain maximum benefit to the citizens.
6. The Fortine/Trego Cemetery functions on fees and volunteers, without any mileage or county revenue.

THE BOARD RESOLVES:

1. There is hereby created a board of trustees to manage the operation, maintenance, planning, improvement, and other related matters associated with the proper management of the Fortine/Trego Cemetery. The board shall be known as the Fortine/Trego Cemetery Board.
2. The Board shall consist of persons to be appointed by the Lincoln County Board of Commissioners. All members appointed to the board shall be residents of Lincoln County.
3. Appointments to the board shall be for a term of three (3) years. The terms of the appointed board members shall be staggered and shall be for three (3) years each.
4. The board is not entitled to milage, per diem, expenses, or salary.
5. The Board shall have the authority and duty to do the following, all subject to Commissioner approval:



- a. Follow the Fortine/Trego By-laws as revised April 9, 2019, establishing its rules and regulations for its own guidance and operation as it deems expedient.
- b. Follow operating procedures, rules, regulations, fees, and site plans for the layout and orientation of gravesites in order to reasonably maximize and protect the historic and public benefit to the citizens of Lincoln County.
- c. Advise on any budget requests to the Board of Commissioners for approval.
- d. Recommend capital improvements and/or expansions of the cemetery properties to the Board of Commissioners for consideration and approval.
- e. Recommend employees and contractors to operate, maintain, and accomplish other work on the cemetery properties, as the Committee believes appropriate.
- f. Advise on identifying, prioritizing, and scheduling annual maintenance work on the cemetery.
- g. Advise on the maintenance work at the Fortine/Trego Cemetery.
- h. Advise on the review and approval, conditional approval or denial of applications for burial in the cemetery.
- i. Advise on contractors and other persons hired by Lincoln County to dig graves, set-up gravesite facilities, backfill graves, set headstones, and other work associated with the private burial of deceased persons.
- j. Advise regarding contracts for work outside the scope of section (i) to be approved by the Board of Commissioners.
- k. Advise on any other acts necessary for the orderly and efficient management and control of the cemetery, unless otherwise restricted by the Board of Commissioners.

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.
3. This resolution will be effective immediately upon adoption, in accordance with § 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Chair of the Board in accordance with § 7-5-121, MCA.



LINCOLN COUNTY
MONTANA

END OF RESOLUTION

Approved as to Form:

Marcia Boris
Marcia Boris, County Attorney

Date presented to the Board 9/1/2021 Approved Disapproved () Amended ()

Adopted this 1ST day of August, 2021.

LINCOLN COUNTY BOARD OF COMMISSIONERS

Jerry Bennett
Jerry Bennett, Chair

ATTEST:

Robin A. Benson
Robin A. Benson, Clerk of the Board