



# KENNESAW CEMETERY PRESERVATION COMMISSION

~~~Meeting Minutes~~~

January 13, 2022 - 4:00 p.m. - City Hall Council Chamber

**MEMBERS PRESENT:**

|                  |       |
|------------------|-------|
| Mary Helyn Hagin | _ x _ |
| Joe Bozeman      | _____ |
| Mickey Bozeman   | _____ |
| Andrew Bramlett  | _ x _ |
| Lewis Bramlett   | _ x _ |
| Loriann White    | _____ |
| Ronald Ellerbe   | _ x _ |
| Michelle Newman  | _ x _ |

**Board Liaisons:**

|                 |       |
|-----------------|-------|
| Pat Ferris      | _ x _ |
| Lea Alvarez     | _____ |
| James Friedrich | _ x _ |
| Rod Bowman      | _____ |
| Ricky Stewart   | _____ |
| Jacque Cullins  | _____ |

**Visitors:**

**Dave Palmer, Liz Gray**  
**DAR reps – Marcia Sasser**

**NOTE if Quorum is present**      \_ x \_

**BUSINESS:**

- Approval of minutes from November 2021    Approved unanimous
- Approval of current financials
  - Motion to approve – Newman    Second – L.Bramlett    Approved unanimous
- Discussion of # of committee members
  - Friedrich explained benefits of keeping commission at 7 members
    - Similar to other commission
    - less difficult to make quorum
  - L. Bramlett brought up that L.White has missed a lot of meetings and Friedrich explained how to address
  - L. Bramlett made a motion to keep the commission at current level (7 members) and to remove L. White from commission.    Second – M. Newman    Approved unanimous
- Wreaths Across America recap (Marcia Sasser)
  - Sasser thanked the commission and city for their support of the event
  - 2021 event was successful in spite of weather and COVID-19
  - Pick up day will be January 22 – Corps of Engineers will get wreaths to create fish hatcheries and local LDS church will repurpose ribbon
  - DAR chapter has already sold enough wreaths for Kennesaw City, Shiloh and Bascomb cemeteries in 2022 – Any overflow sold will go to Georgia National
  - To sponsor wreaths for 2022 - <https://www.wreathsacrossamerica.org/pages/164153/>
  - Going forward DAR and City Clerk’s office will continue to work together to refine how to get veterans list updated
- Election of Chair, Vice Chair and Secretary
  - MaryHelyn Hagin nominated for Chair by L.Bramlett    Second Newman
  - Joe Bozeman nominated for Vice Chair by Newman    Second L. Bramlett
  - Lewis Bramlett nominated for Secretary by Hagin    Second Newman
  - All three approved by unanimous vote
- Cemetery Foundation update (M.Hagin)
  - Nothing new to report as they did not have a December meeting
- Discussion about updating Cemetery Regulations and Guidelines:
  - Friedrich passed out potential revisions to *Regulations and Guidelines* and *Bylaws*
    - After limited discussion it was requested commission members review both and plan to vote on suggested changes at February meeting

- Dates of upcoming events for 2022
  - Decoration Day – May 7 from 10am to 2pm
  - Memorial Day Service – May 30 Time TBD
  - Clean Up Day – October 22 from 10am to 2pm
  - Haunted Cemetery Tour? Possible Foundation event in October
  - Veteran’s Day refresh flags and poppy placement – November 6 (Veterans Day 11<sup>th</sup>)
  - Wreaths Across America – December 17

**Meeting Adjourned: 6:47 pm**

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**UPCOMING MEETINGS:**

**Upcoming meetings: Foundation – 7pm Wednesday, January 19, 2022 – Ben Robertson  
Commission – 4pm on Thursday, February 10, 2022 – Location City Hall  
Cemetery Summit – On hiatus until further notice**

**KENNESAW CITY CEMETERY ONLINE BURIAL SEARCH - <https://www.kennesaw.ga.govern.com/>**

## **CITY OF KENNESAW CEMETERY REGULATIONS AND GUIDELINES**

It is the desire of the City of Kennesaw to make the cemetery a quiet, beautiful place for the deceased and visitors. While we encourage the use of decorations for loved ones, we must also provide the proper maintenance, safety and care of the cemetery. Therefore, the following rules and regulations have been established as subsequent regulations to the City of Kennesaw Code of Ordinances, Chapter 30-Cemeteries.

### **VISITATION**

The cemetery is open to visitors every day. Vehicles may be operated on designated roads and parking areas only with the exception of deliveries in connection with cemetery work. Parking is not permitted on the grass. The speed limit shall not exceed 5 mph. Due to the number of people visiting the cemetery each year, it is very difficult to control the activity of every visitor or to guarantee decorations from being damaged or lost.

### **GENERAL PROVISIONS**

In order to secure the safety of visitors and staff to the cemetery and to prevent damage to maintenance equipment, visitors shall abide by the following regulations.

1. All forms of decoration not specifically approved by the Cemetery Preservation Commission, or its appointed designee, will be removed. This includes flags no larger than 12" wide by 18" tall, trees, shrubs, plantings and groundcovers; all glass, crockery, Styrofoam, statuary, toys, cans, ornaments, benches and similar items.
2. Family members and/or visitors should arrange a schedule among themselves so that only one decoration is placed on each grave at a time.
3. Flowers and decorations will be removed after the allotted time frame or when they become unsightly.
4. Artificial and fresh arrangements are permitted provided they are in an approved vase that is permanently mounted on the monument or memorial. Any floral arrangement not in an approved vase will be removed. Under no circumstances may vases of glass, porcelain, or similar substances be placed at a grave.
5. Hangers, brackets and other materials used for hanging plants or flowers shall not be used. Saddles on monuments are acceptable but not recommended because they may cause damage to the monument. The City is not responsible for damage caused by any of the fore mentioned.

6. All floral decorations will be removed as soon as, in the judgment of public works, become unsightly, diseased, do not conform to the cemetery policies, or when deemed necessary, for the proper maintenance of the cemetery.
7. Adornments will be allowed to stay on a grave, as long as they are appropriate for the season of the year, until they become faded or unsightly, at which time they will be removed. This includes temporary adornments for holidays or special occasions such as Easter, Mothers Day, Fathers Day, Independence Day and Veterans Day.

EXCEPTION: During the Christmas holiday, temporary adornments will be allowed to stay on a grave two (2) weeks preceding the holiday and two (2) weeks after the holiday, at which time they will be removed.

8. Personal landscaping, plantings, curbing, borders, retaining walls, benches, mulching or any decoration must be approved by the Cemetery Preservation Commission, or it's appointed designee, before installation. All unapproved items will be moved to the Public Works department for collection. If items are not collected within six (6) weeks of removal, they will be discarded.
9. All children under the age of 18 must be accompanied by an adult and shall not be allowed to climb or play on monuments, walls or other fixtures.
10. No dogs, cats, or other animals shall be allowed on cemetery grounds (except for service animals). No burials of any kind for dogs, cats, or other animals shall be allowed.
11. All rubbish, trash, or waste materials are to be disposed of in the trash receptacles provided throughout the cemetery.
12. Removal, defacing or destroying any headstone, monument marker, tomb, vault, or cremation area within the cemetery is strictly prohibited, and will be prosecuted to the fullest extent of the law.
13. Disturbance of any grave or place of burial is strictly prohibited, and will be prosecuted to the fullest extent of the law.
14. During a funeral service, all work in the immediate vicinity being done by City employees, contractors, and/or others shall be discontinued.

### **INTERMENT APPLICATION**

1. No person shall bury or permit any person to be buried on any lot or part of a lot in the cemetery owned or held by him/her, for a valuable consideration. This applies to traditional burial and cremations.

2. All applications for burial shall be made through the City Clerk's office. The following guidelines must be followed in order to coordinate all the required activities associated with the interment.
  - a. All fees must be paid before any interments can take place.
  - b. Monday through Friday burials require at least two (2) working days notice prior to the interment.
  - c. Saturday and Sunday burials require at least three (3) working days notice prior to funeral and interment.
  - d. The City does not provide services on City observed holidays (New Year's Day, Martin Luther King's Birthday, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day and day after Thanksgiving, Christmas Eve and Christmas Day.)
  - e. The City does not provide tents, chairs, or assistance for services and/or interments.
  
3. At the time of application, precise instructions must be given regarding the particular type of burial requested – traditional in-ground, in-ground cremation or scattering of cremated remains in the Cremation Garden.
  - a. Traditional In-Ground Burials
    - i. The applicant must identify the lot and space where interment is desired. The City shall not be responsible for any mistake occurring for instructions that were not properly given.
    - ii. A burial vault shall be used for all in-ground interments.
  
  - b. In-ground Cremations
    - i. Lots that contain a casket cannot be used for cremation burial
    - ii. Four (4) cremains are allowed to be buried in a single grave lot; two (2) at the head and two (2) at the foot.
    - iii. Cremains must be placed in a container for burial.
    - iv. Public Works will prepare the site and ensure that the container is placed in the ground with 12" of soil covering the entire container.
  
  - c. Cremation Garden
    - i. The Cremation Garden scattering site offers memorialization in a landscaped area where cremated remains are scattered in the garden.
    - ii. Scattering of cremated remains is only permitted within the designated areas and must be supervised and/or carried out by city staff.
    - iii. Survivors may take turns raking the remains back into the earth.
    - iv. A plaque with the deceased's name, birth date and death date will be placed on the garden wall by city staff.

## **MONUMENT, HEADSTONES AND MARKERS**

1. Monuments and headstones shall only be used on in-ground burials.
2. The Monument Company, family member or friend must get permission from the City Clerk's Office, prior to installing any monument, headstone or marker.
3. All settings and/or erection of any monument, headstone or marker must comply with City guidelines. Any installation not done in accordance with the following guidelines will be removed at the benefactor's expense.
  - a. All monuments, headstones and markers shall rest upon concrete foundations installed by a monument company, under the supervision of Public Works. The top of each foundation shall be set at or below ground level.
  - b. The concrete foundation for the headstone, shall be constructed on solid ground and not on the area where the casket is interred. It shall be centered within the lot lines of each plot, with a minimum of six inches remaining between the edge of the foundation and the front of the plot. The Public Works Director may allow exceptions if a permanent type grave liner of sufficient strength to support the weight of the foundation and memorial is used that will not interfere with future grave openings.
  - c. All monuments and markers shall have level bottoms and be set upon the concrete foundation. The foundation shall be in proportion to the size and weight of such headstone or marker.
  - d. The foundation for upright monuments shall be six inches (6) wider and longer than the base dimension of the monument to facilitate monument alignment. If existing conditions dictate a lesser depth, the foundation will be sixteen inches (16) to twenty-four inches (24) deep.
  - e. The monument height will be dictated by the majority of the surrounding monuments and as per grade as directed by the Cemetery Preservation Commission or its appointed designee.
  - f. The foundation of flush markers shall have the same length and width dimensions as the flush marker. If existing conditions dictate a lesser depth, the foundation will be twelve inches (12) to eighteen inches (18) deep. All markers shall be set flush or below ground level.
4. Monuments, headstones, flush type markers, and inscriptions thereon, shall face the nearest pathway or roadway and shall be placed on a line parallel to the pathway or roadway.

5. The City is not responsible for incorrect engravings on monuments or flush markers. The purchaser should check with their monument company to insure that the names on the monument or marker are correct before the engraving is authorized or initiated.
6. On a single burial lot, one (1) monument of upright, headstone type or a single flush type marker may be placed. Said monument or marker foundation should not exceed the width of the lot.
7. On a lot consisting of two (2) burial spaces, an upright, headstone type monument or a flush type marker may be placed. Said monument or marker foundation shall not exceed the width of two (2) lots.
8. The monument firm shall be held responsible for any damages and shall be subject to the direction and control of the Public Works Director or his/her designee while on cemetery grounds.
9. All monuments, headstones, and markers must be installed within six months of burial unless approved by the Cemetery Preservation Commission or its appointed designee.

### **DISINTERMENT OF GRAVES**

1. Federal and State laws require that proper authorization be obtained prior to disinterring and reintering a dead body. Such authorization is normally issued only to a licensed funeral director upon application to the State or local registration official. The next of kin, a court of law, or other authorized person may execute the application. The authorization for disinterment and reinterment is handled in the same manner as an authorization for disposition.
2. Disinterment, removal or reopening of graves shall be conducted exactly the same as original burials, being made only upon a permit issued by the State or local Health Department, which shall direct the manner in which the work shall be done. City employees shall not be allowed and are strictly prohibited from assisting the disinterment.

### **NONLIABILITY OF THE CITY**

#### **City of Kennesaw Code of Ordinances, Sec. 30-8**

**(a) The mayor and council reserve to themselves and their successors in office the right to alter, amend, modify or add to the rules, regulations, conditions, and restrictions set forth in this chapter at any time it is deemed advisable to do so in order to carry out the purposes of this chapter.**

(b) There shall be no liability whatsoever, either tort or contractual, on the part of the city, or its officials or officers, or their successors in office, or its agents or employees, to any purchasers of any lots in the cemetery, or to any person holding under them, or to the family or relatives of any person buried in the cemetery, or to any person or the family of such person who has erected any monument, marker, or mausoleum therein, by reason of any act, thing, omission, negligence, or otherwise relating to the cemetery. In accepting any conveyance of any burial lot, each purchaser agrees that all provisions of this chapter are valid and that he and his heirs and assigns shall hold such lot subject to all the provisions of this chapter and subject to all amendments to this chapter made by the mayor and council.



**KENNESAW CEMETERY PRESERVATION COMMISSION  
KENNESAW, GEORGIA  
BYLAWS**

**ARTICLE I - CREATION, PURPOSE AND GOVERNING INSTRUMENTS**

**Section 1.1 Creation and Authority:** The Kennesaw Cemetery Preservation Commission was created by the City of Kennesaw, Ordinance No. 2001-03 passed by the Kennesaw City Council on February 5, 2001. ~~Ordinance No. 2001-03 was amended and replaced by Ordinance No. 2002-33 adopted by the Mayor and City Council on the 19th day of August, 2002. Ordinance No. 2002-33 was amended and replaced by Ordinance No. 2007-24, adopted by the Mayor and City Council on the 15th day of July, 2007.~~ Authority for all actions by the Kennesaw Cemetery Preservation Commission shall be governed by this Ordinance Chapter 30, Article III in the City of Kennesaw Code of Ordinances, as amended from time to time, or as directed by the Mayor and City Council.

**Section 1.2 Purpose:** The Kennesaw Cemetery Preservation Commission purpose, goals and objectives shall include, but not be limited to the following:

- (A) ~~Insure that the resting places of Kennesaw citizens and pioneers be preserved, protected and maintained; to provide maintenance and care for the rich history provided by cemeteries, graveyards and burying grounds; and to insure that the maintenance and protection be on-going. To preserve, restore, maintain and protect the City Cemetery, a valuable historical resource located in the heart of downtown Kennesaw's Historic District.~~
- (B) Formulate a cemetery preservation plan that will include, but not be limited to the following:
- 1) Identification of all known cemeteries, graveyards and burying grounds within the city limits of Kennesaw, Georgia.
  - 2) Establish and publish guidelines regarding cemetery preservation, maintenance, landscaping, security, development and other information.
  - 3) Establish procedures with the City of Kennesaw Planning and Zoning staff regarding the review of all zoning request involving cemeteries or property adjacent to cemeteries.
  - 4) Develop a comprehensive educational program regarding cemetery preservation and maintenance for private and public educational institutions as well as the community.

- (C) Inform the Mayor and City Council member's specific cemeteries and graveyards that have been determined to be abandoned or not maintained for their recommendations on a plan of action.
- 1) Assist in the implementation of the City of Kennesaw Preservation Ordinance.
  - 2) Serve as contact point for all publicity and public relations regarding cemetery preservation and maintenance.
  - 3) Perform all other acts necessary or incidental to the above and to do whatever is deemed necessary, useful and advisable for the purpose of the Commission as directed by the Mayor and City Council.

**Section 1.3 Governing Instruments:** The Commission shall be governed by the City of Kennesaw Code of Ordinances, Sections ~~30-52 and -51 through 30-58, Section 30-53~~ as amended ~~on the 19th day of August, 2002~~, its bylaws, and the laws and statues of the State of Georgia.

**Section 1.4 Compensation and Expenses:** No officer or member of the Commission shall receive, directly or indirectly, any salary or compensation from the Commission. Personal expenses directly related to the business of the Commission may be reimbursed based upon appropriated funds, proper substantiation and with the approval of the Mayor and City Council.

## **ARTICLE II-COMMISSION MEMBERSHIP, TERMS AND REMOVAL**

**Section 2.1 General:** Commission members, numbers, appointments, and terms shall be governed by ~~Ordinance # 2002-33 Sections 30-52 and 30-53 in the Code of Ordinances.~~

**Section 2.2 Removal:** Any member of the commission ~~who misses more than three consecutive regular voting meetings or more than half of the combined regular and called meetings in a calendar year shall be considered for replacement by the Commission. Upon recommendation of a majority of the Commission members, a letter shall be sent to the Kennesaw City Mayor requesting such action be taken. Absences due to sickness, death or other family concerns, as well as work related absences, shall be recognized as excused and shall not affect the member's status on the Commission. In the event of a lengthy illness or other such cause for prolonged absence, the Commission shall contact the member and advise them that they are approaching the maximum number of unexcused absences. may be removed from office for cause by a majority vote of the mayor and city council. Cause shall be defined as malfeasance or misfeasance in office or failure to attend three consecutive regular, scheduled meetings or failure to attend a minimum of 70 percent of such regularly scheduled board, commission, or authority meetings within any calendar year. While attendance in person is preferred, a member of the commission may attend twice per calendar year by telephonic means as defined in the "Georgia Open Meetings Act." All votes in which a member is~~

present via telephonic means shall require a roll call vote which shall be recorded in the minutes.

## **ARTICLE III-OFFICERS, DUTIES AND TERM OF OFFICE**

**Section 3.1 Officers, Duties and Responsibilities:** The Kennesaw Cemetery Preservation Commission Officers and their associated duties shall be as follows:

### **CHAIRPERSON**

A chairperson shall be elected by majority vote of the members of the Commission. The chairperson shall conduct all meetings, decide all points of order and procedure, and call for special meetings as deemed necessary. The chairperson shall appoint, with the majority approval of the Commission, all committees necessary to fulfill the stated purpose of the Commission. The chairperson shall perform all other duties generally associated with this position.

### **VICE CHAIRPERSON**

A vice chairperson shall be elected by majority vote of the Commission, and shall serve as active chairperson in the absence of the chairperson. During this capacity, the vice chairperson shall have the same powers and duties as the chairperson. The vice chairperson shall perform other duties as required by the chairperson.

### **SECRETARY**

A secretary shall be elected by majority vote of the Commission, and shall have the following responsibilities:

- 1.) Keep accurate minutes and records of all procedures.
- 2.) File a copy of the minutes with the City Clerk's office within 72 hours of the Commission Meeting as required by the "Georgia Open Meetings and Open Records Laws."
- 3.) Originate general correspondence.
- 4.) Other duties normally associated with this position.

**Section 3.2 Election and Term of Office:** All officers are to be elected at the first Commission meeting in January and will serve for one year. Officers can be re-elected for an unlimited number of terms. However, terms are limited by their term on the Commission.

**Section 3.3 Removal:** Any officer may be removed either for or without cause at any special or regular meeting of the Commission by affirmative vote of a majority of the Commission members. A new officer may be elected at the same meeting to serve the unexpired term.

**Section 3.4 Vacancies:** Any officer vacancy arising at any time and from any cause, may be filled for the unexpired terms at any meeting of the Commission. Such officer once elected, shall hold office until the expiration of the original term, and a successor is elected.

## **ARTICLE IV - MEETINGS, SPECIAL MEETINGS, QUORUM, CONDUCT OF MEETINGS**

**Section 4.1 Regular Meetings:** Regular meetings of the Commission will be held on the second Thursday of each month at ~~4:00 p.m.~~ 5:30 p.m. in the Council Chambers, Kennesaw City Hall, 2529 J.O. Stephenson Ave., Kennesaw, Georgia 30144. Meetings may be held at some other time or location if directed by the chairperson. Alternate meeting dates due to conflicts with national or state holidays will be determined by the Commission. All meetings and change of meetings must meet the guidelines of the "Georgia's Open Meetings and Open Records Laws."

**Section 4.2 Special Meetings:** Special meetings of the Commission may be called by the chairperson. At least 48 hours' notice of the time and place shall be given by the secretary or chairperson to each member of the Commission.

**Section 4.3 Quorum:** A majority of members shall constitute a quorum.

**Section 4.4 Conduct of Meetings:** All meetings shall be open to the public. The current edition of Roberts Rules of Order shall govern the conduct of all meetings. Any changes to Roberts Rules of Order will supersede prior editions and shall govern the conduct of all meetings. Under no circumstances shall the fundamental and basic purposes of this Commission, as expressed in Ordinance #2003-33 `Chapter 30 Article III of the City's Code of Ordinances and these bylaws, be amended or changed without proper notice of changes.

## **ARTICLE V - SPECIAL COMMITTEES**

**Section 5.1. Special Committees:** Special committees may be established from time to time to deal with short term duties or situations. Duties and length of committee duration will be determined by a majority vote of the commission.

## **ARTICLE VI - AMENDMENTS**

**Section 6.1. Amendments:** These Bylaws shall be subject to amendment or repeal, and new Bylaws may be made by the affirmative vote of a majority of the Commission members. Proposed amendments shall be submitted in writing to all Commission members at least fifteen (15) days prior to the meeting at which such amendments will be proposed. Upon an affirmative vote by a majority of the Commission membership the changes will be sent to the Mayor and Council for final approval.