

township trustee  
and clerk  
orientation booklet

General Information | Township Fire Protection | Fence Laws  
Trespassing Animals | Cemeteries | Agendas

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# Acknowledgements

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The authors would like to acknowledge the contributions of the following:

Neil E. Harl, professor of economics, ISU, and member of the Iowa Bar.  
Earl M. Willits, Iowa Department of Justice.

David H. Hammond, ISU extension resource development specialist, Cedar Rapids.

Norman P. Riggs, ISU extension resource development specialist, Des Moines.

Fire Service Education, ISU.

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Cooperative Extension Service, Iowa State University of Science and Technology and the United States Department of Agriculture cooperating. Robert L. Crom, director, Ames, Iowa. Distributed in furtherance of the Acts of Congress of May 8 and June 30, 1914.



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# General Information

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## Election and Term of Office

Sec. 39.8. The term of office of all officers, chosen at a general election for a full term, shall commence on the first day of January following the election which is not a Sunday or legal holiday. . . .that of an officer chosen to fill a vacancy shall commence as soon as he has qualified therefor.

Sec. 39.18. **Township Trustees.** There shall be elected, **biennially**, in counties and townships, members of the board of supervisors and township trustees, respectively, to succeed those whose terms of office will expire. . . . The term of office of each supervisor or trustee shall be **four years**.

Sec. 39.22. **Township Trustees—Manner of Election.** Township trustees and the township clerk shall, in townships which embrace no city, be elected by the voters of the entire township.

Sec. 69.8. **Vacancies—How Filled.** Vacancies shall be filled by the officer or board named. . . . In township offices including trustees, by the trustees, but where the offices of the three trustees are all vacant, the county board of supervisors shall have the power to either instruct the county auditor to fill the vacancies or adopt a resolution stating that the board will exercise all powers and duties assigned by law to the trus-

tees of the township in which such vacancies exist, until such time as the vacancies may be filled by election.

## Bonding

Sec. 64.1. **Bond Not Required.** Bonds shall not be required of township trustees.

Sec. 64.12. **Township Clerk—Expense of Bond.** All bonds required of the township clerk shall be furnished and paid for by the township.

## Township Trustee Meetings

Sec. 359.17. **Trustees—Duties—Meetings.** The board of township trustees in each township shall consist of three qualified electors of the township. The trustees shall act as fence viewers and shall perform other duties assigned them by law. The board of trustees shall meet not less than once a year.

(It is suggested that the township trustees prepare an annual budget to be sent to the county auditor by January 1—check with county auditor as to the specific date in your county.)

## Legal Counsel for Township Trustees

Sec. 359.18. **County Attorney as Counsel.** In counties having a population of less than twenty-five thousand, where the trustees institute, or are made parties to,

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litigation in connection with the performance of their duties, as provided in this chapter, **the county attorney, as part of his official duties, shall appear in behalf of the township trustees**, except in cases in which the interests of the county and those of the trustees are adverse.

Sec. 359.19. **Employment of Counsel.** When litigation shall arise in any case not covered by section 359.18, involving the right or duty of township trustees with reference to any matter within their jurisdiction, and the trustees become or are made parties to such litigation, they shall have authority to employ attorneys in behalf of said township, and to levy the necessary tax to pay for their services, and to defray the expenses of such litigation.

### **Duties of Township Clerk**

Sec. 359.20. **Clerk to Keep Record.** The township clerk shall keep a **record of all the proceedings and orders of the trustees**, and of all acts done by him, including the filing of certificates of official oaths having been taken before other officers, and perform such other acts as may be required of him by law.

Sec. 359.21. **Custody of Funds.** Each township clerk shall receive, collect, and disburse, under the orders of the township trustees, all funds belonging to his township, including the cemetery fund, and those which are now or may hereafter be by law

created or authorized. No claim shall be paid until it has been duly audited by the trustees.

Sec. 359.22. **Notify Auditor of Elections.** The clerk, immediately after the election of officers in his township, shall send a written notice thereof to the county auditor, stating the names of the persons elected, and to what offices, and the time of the election, and shall enter the time of the election of each officer in the township record.

Sec. 359.23. **Receipts and Expenditures.** Each township clerk shall prepare, on or before September 30 of each year, a statement in writing, showing all receipts of money and disbursements in his or her office for the preceding fiscal year, which shall be certified as correct by the trustees of the township. Each township clerk shall send a copy of this written statement to the county auditor no later than seven days after the statement is certified by the trustees.

### **Compensation of Township Trustees and Clerks**

Sec. 359.46. A township trustee, while engaged in official business, shall be compensated at an hourly rate established by the county board of supervisors. However, the county board of supervisors may establish a minimum daily pay rate for the time spent by a township trustee attending a scheduled meeting of township

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trustees. The compensation shall be paid from the general fund of the county except:

- a. When the trustee is assessing damages done by trespassing animals, payment of the compensation shall be made in the same manner as other costs in such cases.
- b. When the trustee is acting as a fence viewer, or in a case where provision is made for payment from a source other than the general fund of the county.

**In cases where their fees or compensation are not paid from the general fund of the county, the trustees shall be paid by the party requiring their services.** The trustees shall attach to the report of their proceedings a statement specifying their services, directing who shall pay the fees or compensation, and specifying the amount to be paid by each party. A party who makes advance payment for the services of the trustees may take legal action to recover the amount of the payment from the party who is directed to pay by the trustees unless the party entitled to recovery under this subsection is paid within ten days after a demand for reimbursement is made.

**Sec. 359.47. Compensation of Township Clerk.** A township clerk, while engaged in official business, shall

be compensated at the same rate as the pay rate of a township trustee of the same township.

### **Open Public Meeting Law**

**Sec. 28A.3. Intent—Declaration of Policy.** This Act seeks to assure, through a requirement of open meetings of governmental bodies, **that the basis and rationale of government decisions, as well as those decisions themselves, are easily accessible to the people.** Ambiguity in the construction or application of this Act should be resolved in favor of openness.

**Sec. 28A.4. Meetings of Governmental Bodies.** Meetings of governmental bodies shall be preceded by public notice as provided in section five \* (5) of this Act and shall be held in open session unless closed sessions are expressly permitted by law. Except as provided in section six (6) of this Act, **all actions and discussions at meetings of governmental bodies, whether formal or informal, shall be conducted and executed in open session.**

Each governmental body shall **keep minutes of all its meetings** showing the date, time, and place, the mem-

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\* Township trustees are exempt from the "public notice" section of the open public meeting law. However, that is the **only** section they are exempted from in this law.

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bers present, and the action taken at each meeting. The minutes shall show the results of each vote taken and the vote of each member present shall be made public at the open session. **The minutes shall be public records open to public inspection.**

### **Suggestion**

Township trustees should annually review their liability insurance coverage to ensure that it is adequate. Many township trustees are covered by a "blanket" county insurance plan; however, this practice is not used in every county. Please check with your County Board of Supervisors about your insurance coverage.

# Township Fire Protection and Ambulance Service

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## Fire Protection and Ambulance Service Laws

Sec. 359.42. Township Fire Protection Service and Ambulance Service. The trustees of each township in this state shall provide fire protection service for the township, exclusive of any part of the township within a benefited fire district and, in counties not providing ambulance services under section 332.3, subsection 23 of the Code, may provide ambulance service. The trustees may purchase, own, rent, or maintain fire protection service or ambulance service apparatus or equipment or both kinds of apparatus or equipment and provide housing for the equipment. The trustees may contract with any public or private agency under chapter 28E for the purpose of providing fire protection service or ambulance service or both services under this section.

[69 G.A. C.H. 124, 1981 Session.]  
The trustees of a township, after notice and a public hearing, may withdraw the township or part of the township from a benefited fire district. Notice of the time, date, and place of the hearing shall be published at least two weeks before the hearing in a newspaper having general circulation within the township. The notice shall also identify the area to be withdrawn. After the hearing on the proposed withdrawal, the township trustees, by majority vote, may withdraw the township or a

part of the township from the benefited fire district.

## Sec. 359.43. Tax Levy

1. The township trustees may levy an annual tax not exceeding  $40\frac{1}{2}\text{¢}$  per \$1,000 of assessed value of the taxable property in the township, excluding any property within a benefited fire district or within the corporate limits of a city, for the purpose of exercising the powers granted in section 359.42. However, in any township having a fire protection service or ambulance service agreement or both service agreements with a special charter city having a paid fire department, the township trustees may levy an annual tax not exceeding  $54\text{¢}$  per \$1,000 of the assessed value of the taxable property for those purposes, and in any township which has a common boundary with a city having a population of 180,000 or more, the township trustees may levy an annual tax not exceeding  $67\frac{1}{2}\text{¢}$  per \$1,000 of assessed value of taxable property for fire protection service or ambulance service purposes or for both purposes.

2. If the levy authorized under subsection one (1) of this section is insufficient to provide fire protection service and ambulance service, the township trustees may levy an additional annual tax not exceeding  $20\frac{1}{4}\text{¢}$  per \$1,000 of assessed value of the taxable property in the town-

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ship, excluding any property within the corporate limits of a city, to provide the ambulance service. **The township trustees may divide the township into districts for the purpose of providing the ambulance service and fire service and may levy a different tax rate in each district, but the tax levy to provide ambulance service shall not exceed 20¼¢ per \$1,000 of taxable assessed value in a district.**

### **Example of Divided Township Districts**

Suppose a township were contracting with two fire departments with each providing protection to a portion of the township. Suppose further that each department wants you to levy taxes at different rates because of the program and financial situation of each fire department. Previously, you had to levy a uniform rate in the whole township for fire protection and divide the money in some manner. Under the new provisions, the trustees could divide the township into two tax districts for fire protection purposes and levy a different rate in each district but neither levy could exceed 40½¢ per \$1,000. The township could be divided into more than two tax districts if it were necessary.

### **Suggestions**

1. If you are considering dividing a township, you should first decide if it will really be to the township's advantage to create more tax districts. If the difference in levies would be small, it probably would not be worth the trouble. If there would be a considerable difference in the levies, you may want to proceed. You must then decide where to draw the dividing line(s) in the township. You must draw a specific line, but do not divide parcels of land. **Before the new budget requests start in the fall, township trustees should visit their county auditor to explain the reasons for the division and the proposal for dividing the township.** The following procedures are determined by the county auditor and township trustees. It would be a good idea to involve your County Attorney and Board of Supervisors in the decisions.

2. Township trustees should **annually** review their fire protection and ambulance service contracts with other public or private agencies to determine if they are **adequate** and cover all areas of the township not covered by a benefited fire district. Sample fire protection agreements are available from Iowa State University Fire Service Education. Or you may want to check with your county attorney.

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3. Township trustees should check with the county attorney and/or county board of supervisors to determine if the township has adequate **liability insurance** for fire protection and ambulance service.

4. When trying to determine an equitable financial arrangement for contracting with other townships or cities for fire protection, the following formula may be useful:

$$\frac{\% \text{ Tax Value} + \% \text{ Fire Calls} + \% \text{ Population}}{3} = \% \text{ share of fire protection costs}$$

5. For more information and assistance about fire protection in your township contact:

Keith Royer  
Fire Service Education  
Fire Service Building  
Iowa State University  
Ames, Iowa 50011  
Phone: 515/294-6817



# Fence Laws

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## Division of Fence Responsibility

1. Iowa fence law acknowledges that each adjacent land owner can compel the other to build and maintain part of the line fence—or contribute toward its construction and maintenance. Iowa law does not, however, specify the amount of fence each owner is to build or maintain or the particular part of the fence for which each is to have responsibility. It is generally assumed that each is to be responsible for one-half although nothing would seem to preclude one maintaining the entire fence. In some instances, because of a difficulty in maintaining a water gap, for example, the most equitable solution might be for each to maintain unequal lengths of fence to compensate for the extra cost of keeping up the shorter segment that spans the watercourse.

2. "Right Hand" Rule—Informally, the owners may agree to accept their predecessors' division of the fence. This practice is widely followed in many parts of the state. Another common practice is to follow the so-called "right hand" rule. Each owner, standing on his or her property facing the fence agrees to maintain the right hand portion. Contrary to widespread belief, **the right hand rule does not have the force of law unless decreed by the fence viewers** or specified in a fence agreement.

3. Written Fence Agreement—The adjoining owners may, if arrangement can be agreed upon, enter into a written fence agreement that describes the property involved and the fence responsibility assigned to each tract. **Such agreements may be recorded in the office of the county recorder where the property is located.** Once recorded, **the agreement binds both present and successive owners of the property involved.** Oral agreements may be enforceable against a party to the agreement and against those with notice of the agreement. However, others are generally not bound by their predecessors' oral commitments.

4. All fence disputes may be resolved by the township trustees acting as fence viewers.

## Locating Partition Fences

1. Township trustees do not have the power to determine the location of a partition fence. The location of a partition fence is a function of the district court in the county under Chapter 650 of the Code of Iowa. The following guidelines are presented only for your information and should not be used to determine the location of partition fences.

2. A partition fence is located on the property line. If not, **the erroneous boundary may become the true boundary after 10 years of acquiescence.** That is why boundaries believed to be in error should be surveyed and, if not correctly located, an objection filed before 10 years have elapsed. A partition fence may be built on the property line so that the fence is partly on one tract and partly on the other.

3. **Two exceptions.** There are two major exceptions to the general rule that a partition fence is to be built on the property line: (1) If the adjoining land owners have agreed to maintain a private roadway or lane astride the property line, the fences may be built on either or both sides of the road or lane. (2) If adjacent tracts of land are separated by a watercourse such that it would be impractical to build a fence on the property line, livestock may be restrained by building the fence back from the watercourse.

### **Fence Viewing**

Sec. 113.3. **Powers of Fence Viewers.** The fence viewers shall have power to determine any controversy arising under this chapter, upon giving five days' notice in writing to the opposite party or parties, prescribing the time and place of meeting to hear and determine the matter named in said notice. Upon request of any landowner, the fence viewers shall give

such notice to all adjoining landowners liable for the erection, maintenance, rebuilding, trimming, or cutting back, or repairing of a partition fence, or to pay for an existing hedge or fence.

Sec. 113.4. **Decision—Deposit.** At said time and place the fence viewers shall meet and determine by written order the obligations, rights, and duties of the respective parties in such matter, and assign to each owner the part which he shall erect, maintain, rebuild, trim or cut back, or pay for, and fix the value thereof, and prescribe the time within which the same shall be completed or paid for, and in case of repair, may specify the kind of repairs to be made. **If the fence is not erected, rebuilt, or repaired within the time prescribed in the order, the fence viewers shall require the complaining landowner to deposit with the fence viewers a sum of money sufficient to pay for the erecting, rebuilding, trimming, cutting back, or repairing such fence together with the fees of the fence viewers and costs.** Such complaining landowner shall be reimbursed as soon as the taxes are collected as provided in section 113.6.

Sec. 113.6 **Default—Damages and Fees Collected as Taxes.** If the erecting, rebuilding, or repairing of such fence be not completed within thirty days from and after the time fixed therefor in such order, the

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board of township trustees acting as fence viewers shall cause the fence to be erected, rebuilt, and repaired, and the value thereof may be fixed, by the fence viewers and unless the sum so fixed, together with all fees of the fence viewers caused by such default, as taxed by them, is paid to the county treasurer within ten days after the same is so ascertained; or when ordered to pay for an existing fence, and the value thereof is fixed by the fence viewers, and said sum, together with the fees of the fence viewers, as taxed by them, remains unpaid by the party in default for ten days, the fence viewers shall certify to the county auditor the full amount due from the party or parties in default, including all fees and costs taxed, together with a description of the real estate owned by the party or parties in default along or upon which the said fence exists, and the county auditor shall enter the same upon the tax list and the amount shall be collected as other taxes.

Sec. 113.23. **Appeal.** Any person affected by an order or **decision of the fence viewers may appeal to the district court** by filing with the clerk of said court a notice of appeal within twenty days after the rendition of the order or decision appealed from and filing an appeal bond in an amount approved by the township clerk. The township clerk, after recording the original papers, shall thereupon file them in the office of the clerk of the district court, certify-

ing them to be such, and the clerk shall docket them, entitling the applicant or petitioner as plaintiff, and it shall stand for trial as other cases.

## **Fence Viewing Forms**

All procedures and decisions of the fence viewers must be in writing and should be filed with the appropriate county offices. Sample forms and instructions for handling fence disputes are contained in CRD 150, available through your county Extension office.

## **Steps to Resolve Fence Disputes**

1. Complaining party makes a written request to landowner.
2. Complaining party makes a written request to the fence viewers (suggest collecting fence viewer fee at that time).
3. Fence viewers give five days' written notice to the other party or parties of the time and place of hearing (suggest using registered mail to serve this notice).
4. Fence viewers make decision and set a time for work to be completed.
5. Work is done by landowners.
6. If work is not done—
  - Complaining party must deposit money with fence viewers.

- Fence viewers proceed to have work done.
- If owner with the duty to pay fails to do so within ten days—
  - a. Fence viewers shall certify to the county auditor the full amount due (including fence viewers' fee).

- b. The amount is collected as real property taxes.
- c. Complaining landowner is repaid.

7. Fence viewers' decisions may be appealed to the District Court within twenty days of the decision.

# Trespassing Animals

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Sec. 188.3. **Trespass on Lawfully Fenced Land.** Any animal trespassing upon land, fenced as provided by law, may be distrained by the owner of such land, and held for all damages done thereon by it, unless it escaped from adjoining land in consequence of the neglect of such landowner to maintain his part of a lawful partition fence.

Sec. 188.6. **Trespass on Highway.** Animals which are unlawfully running at large on the highway may be distrained by the owner of the adjoining land and held for damages done by them and for the costs provided in this chapter.

Sec. 188.11. **Procedure on Distrain.** The person distraining animals shall, within twenty-four hours after such distrain, Sunday not included, notify the owner of such animals of such distrain and of the actual amount of damages and costs caused by such animals. If the said owner fails to satisfy such damages and costs within twenty-four hours after such notification, the person distraining shall immediately notify the **township trustees** and demand that they appear upon premises where the damages occurred and assess the damages. The trustees shall **immediately** fix a time for the assessment of such damages and notify the owner of the animal accordingly.

Sec. 188.12. **Appointee in Lieu of Trustee.** If for any reason one or more trustees shall be unable to act, the trustees present shall appoint one or more **disinterested citizens** in place of such trustees.

Sec. 188.13. **Tender of Damages and Costs.** The owner of the animals may tender to the person suffering damages, an amount less than that demanded by claimant, as damages and costs, and if such tender be refused, and the final assessment of damages be no more than such tender, then all costs, and compensation for keeping the animals accruing after such tender, shall be paid by the person distraining the animals.

Sec. 188.14. **Assessment of Damages.** The trustees, or a majority thereof, shall meet on the premises where the damages occurred at the time fixed and assess the damages and costs and file their written report with the township clerk who shall record the same. Said assessment **shall be final** unless appealed from.

Sec. 188.15. **Failure to Pay Damages.** If the owner of the distrained animals neglects for two days after such assessment to pay the amount thereof, the **township clerk** shall at once post up in three conspicuous places in the township, a notice of

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the time and place at which he will **sell said animals**, describing them. The place of sale shall be at the place of distraint. The sale shall be between the hours of one and three o'clock p.m. and on a day not less than five nor more than ten days after the posting.

Sec. 188.17. **Sale.** The clerk shall, at the time and place named in said notice, sell the animals at public sale to the highest bidder for cash, but only such number of animals shall be sold as is **necessary to satisfy the damages and costs**. Animals unsold shall be at once returned to the owner, and also the surplus remaining, if any, out of any sold.

Sec. 188.18. **Unknown Owner.** Should the owner of the surplus be

unknown the same shall be paid to the **county treasurer** who shall give duplicate receipts therefor, one of which shall be filed with the county auditor. The owner of said animal, on filing a claim therefor within twelve months after payment to the treasurer, shall be entitled to receive said surplus from the county.

Sec. 188.19. **Appeal—Time.** Any person aggrieved by the assessment made by the trustees may **appeal to the district court by filing with the township clerk within four days** after the report of the trustees is filed with such clerk, an appeal bond with sureties to be approved by said clerk and conditioned to pay all damages and costs.

# Cemeteries

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## **Powers of Township Trustees**

Sec. 359.28. **Condemnation.** The township trustees are hereby empowered to condemn, purchase and pay for out of the general fund, or the specific fund voted for such purpose, and enter upon and take, any lands within the territorial limits of such township for the use of cemeteries, a community center, or juvenile playgrounds, in the same manner as is now provided for cities.

Sec. 359.29. **Gifts and Donations.** Civil townships are hereby authorized and empowered to receive by gift, devise, or bequest, money or property for the purpose of establishing and maintaining libraries, township halls, cemeteries, or for any other public purpose. **All such gifts, devises, or bequests shall be effectual only when accepted by resolution of the board of trustees of such township.** (Suggestion: Be careful when accepting cemeteries as gifts, because they then become property of the township and may require maintenance.)

Sec. 359.31. **Power and Control.** They shall control any such cemeteries, or appoint trustees for the same, or sell the same to any private corporation for cemetery purposes.

Sec. 359.32. **Sale of Lots—Gifts.** They shall have authority to provide for the sale of lots or portions thereof, in any cemetery under their control,

and make rules in regard thereto, and may provide for perpetual upkeep by the establishment of a perpetual upkeep fund from the proceeds of sale of lots, and may accept gifts, devise or bequest, made to them for that purpose.

Sec. 359.37. **Regulations.** The trustees shall have power, subject to the bylaws and regulations of such cemetery, to enclose, improve, and adorn the ground of such cemetery; to construct avenues in the same; to erect proper buildings for the use of said cemetery; to prescribe rules for the improving or adorning the lots therein, or for the erection of monuments or other memorials of the deal upon such lots; and to prohibit any use, division, improvement or adornment of a lot which they may deem improper.

The trustees . . . shall have authority to sell and dispose of any lands or parcels of lands heretofore dedicated for cemetery purposes and which are no longer necessary for such purposes, for the reason that no burials are being made in such cemetery, provided that any portion of said cemetery in which burials have been made shall be kept and maintained by said trustees.

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## **Taxes for Cemeteries**

Sec. 359.30. **Cemetery and Park Tax.** They shall, at the regular meeting in November, levy a tax sufficient to pay for any lands so condemned or purchased, or for the necessary improvement and maintenance of cemeteries thus established, and for the necessary improvement and maintenance of public parks acquired by gift, devise, or bequest under section 359.29, or for the maintenance and improvement of cemeteries so established in adjoining townships, in case they deem such action advisable.

Sec. 359.33. **Tax for Nonowned Cemetery.** They may levy a tax not to exceed 6 $\frac{3}{4}$ ¢ per \$1,000 of assessed value of taxable property to improve and maintain any cemetery not owned by the township, provided the same is devoted to general public use.

Sec. 359.34. **Scope of Levy.** The levy authorized in sections 359.30 and 359.33 may be extended to property within the limits of any city so far as same is situated within the township, unless such city is already maintaining a cemetery, or has levied a tax in support thereof. The said tax may be so expended for the support and maintenance of any such cemetery after the same has been abandoned and is no longer used for the purpose of interring the dead.

Sec. 359.35. **Cemetery Funds—Use.** Cemetery tax funds of a township may be used for the maintenance and support of cemeteries in adjoining counties and townships and in cities, if such cemeteries are utilized for burial purposes by the people of the township and when any such cemetery has been so utilized for more than twenty-five years and has been maintained by township funds, the township trustees of the township where the cemetery is located shall continue to improve and maintain the same.

## **Joint Cemetery Boards**

Sec. 359.36. **Joint Boards.** A city council and the trustees of a township may join in the common purpose of improving, maintaining, and supporting a township cemetery. In such case the two official bodies shall constitute a joint cemetery board and shall have equal voting power.

## **Cemetery Personnel**

Sec. 359.38. **Watchmen Appointed.** Such trustees, directors, or other officers may appoint as many day and night watchmen of their grounds as they may think expedient, and such watchmen, and also all their sextons, superintendents, gardeners, and agents, stationed upon or near said grounds, are hereby authorized to take and subscribe to an oath of office as provided in section 63.10.

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Sec. 359.39. **Ex Officio Police Officers.** Upon the taking of such oath, such watchmen, sextons, superintendents, gardeners, and agents shall have and exercise all powers of police officers within and adjacent to the cemetery grounds, and each shall have power to arrest any and all persons engaged in violating the laws of this state, and to bring such person so offending before any judicial magistrate, to be dealt with according to law.

### **Records of Cemeteries**

Sec. 359.40. **Cemeteries—Plats—Records.** Where there is located in any township one or more cemeteries, the owner of the same, or any party owning an interest therein, may cause the same to be surveyed, platted, and laid out into subdivisions and lots, numbering the same by progressive numbers, giving the

length and breadth, also the location with reference to known or permanent monuments to be made. The plat shall accurately describe all the subdivisions of that tract of land used, or designed to be used as a cemetery, and shall be recorded in the office of the county recorder, and filed with and recorded by the township clerk, and preserved by him among the records of his office.

Sec. 359.41. **Conveyance of Lots.** All conveyances of subdivisions or lots of a cemetery thus platted shall be by deed from the proper owner, which deed shall be recorded with the township clerk in a book kept by him for that purpose, for the recording of which the said clerk shall be entitled to a fee of fifty cents for each instrument recorded, to be paid by the party desiring the record made.



# Agendas

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## **Important Points to Remember About an Agenda:**

1. The sample agenda on this page is a suggested order of business for meetings. It is important the specific items of business for a particular meeting be listed under the proper category (i.e., under number 3, 4, 5, or 6). Also, if the meeting does not have any reports from officers or special committees, then these categories do not need to be listed on the agenda for that meeting.
2. The agenda should be developed by the township clerk and township trustee chairman at least one week prior to the meeting. If possible, the agenda for that meeting should then be sent to the other township trustees before the meeting.
3. Any agenda should be flexible and general enough to allow other items of business to be brought up at the meeting by citizens who are attending or members of the group.
4. The major purpose of an agenda is to make sure that all of the items of business that need to be brought before the group are done. Therefore, a good agenda will make a meeting run more smoothly and make sure that all necessary items of business are covered at the meeting.

## **The Agenda or Order of Business**

It is customary for every group to adopt a standard order of business for meetings. When no rule has been adopted, the following is the order:

### **1. Call to order:**

"Will the meeting please come to order."

### **2. Reading and approval of minutes:**

"Are there any corrections to the minutes?"

"There being no corrections, the minutes will stand approved as read."

### **or**

"Are there any further corrections to the minutes? . . . There being no further corrections, the minutes will stand approved as corrected."

### **3. Reports of officers and standing committees:**

Officers, boards, or standing committees should be called upon to report in the order in which they are mentioned in the constitution or by-laws of the organization.

### **4. Reports of special committees:**

### **5. Unfinished business:**

"We come now to unfinished business. Is there any unfinished business to come before the meeting?"

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**6. New business:**

"Is there any new business to come before the meeting?"

**7. Program:**

**8. Adjournment:**

**Unqualified form:**

Proposer moves for adjournment; motion is seconded; the chair calls for a vote; action depends upon majority vote. This motion cannot be discussed.

**Qualified form:**

Proposer moves for adjournment within a definite time or adjournment to meet again at a specified time; motion is seconded; the chair calls for discussion; a vote is taken; action depends upon majority vote.

**Reprinted From:**

*I Move That . . . A Booklet of Parliamentary Procedure.* Sociology 10 (Rev.): Iowa State University, Ames, Iowa: March, 1977.

# Resource Materials for Township Trustees

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This booklet is not a complete listing of all laws and all sections. Instead, it highlights the laws for quick reference. For more complete information see:

1. Latest edition of the *Code of Iowa*  
Relevant Chapters:

Chapter 28A—Open Public Meeting Law

Chapter 28E—Joint Exercise of Governmental Powers (Applicable only to Fire Protection and Ambulance Service laws)

Chapter 39—Term of Office

Chapter 64—Bonds for Public Officers

Chapter 68—Vacancies—How Filled

Chapter 113—Fences

Chapter 188—Estrays and Trespassing Animals

Chapter 359—Townships and Township Officers

Chapter 360—Township Halls

2. *Laws Governing Township Officers, Board of Health, and Cemeteries*. Publishers: Matt Parrott & Sons Company, Box 660, Waterloo, Iowa 50704. Ask for order form #63-13A.

3. *Iowa Fire Laws*. Publishers: Fire Service Education, Fire Service Building, Iowa State University, Ames, Iowa 50011. A fee is charged for this publication.

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