

Governance

Minnesota Cemetery Statutes

Throughout its history the cemetery has been under the governance of the officers of the church and those delegated to oversee cemetery operations. Faith Church Cemetery is currently under the authority of a non-profit 501c3 named Faith Presbyterian Church of Minnetonka, aka Faith Church.

Minnesota Statutes 306 and 307 classify cemeteries as public or private. Statutes define how cemeteries are governed according to size, age, and corporate structure. Statutes 525.14 .and Statute 149A govern the disposition of the body and legal ownership of the gravesite and markers.

The statutes provide regulations for the protection of any monies received via sales or gifts. A perpetuity account must be established. Twenty percent of gravesite sales and 100% of gifts to the cemetery are invested in a perpetuity account where the principal is protected yet invested to increase over time.

Corporate Governance

Faith Church Cemetery is a private cemetery governed by a non-profit church affiliation. State laws pertaining to public cemeteries will serve in the private cemetery as operational guidelines rather than be followed absolutely in every detail, particularly the state reporting aspects of public cemetery operations. Furthermore, this private cemetery is small, governed by volunteers, and without staff resources to establish and maintain a large bureaucracy associated with larger cemeteries.

The trustees have the authority to write and amend the cemetery bylaws in compliance with state and local laws.