

The Corporation of the City of Kawartha Lakes

Council Report

Report Number CEM2020-01

Meeting Date: March 24, 2020

Title: **Assumption of Janetville United Church Cemetery**

Description: Transfer of cemetery assets to municipality

Ward Number: 8

Author and Title: Cathy Sleep, Cemetery Administrator

Recommendation(s):

That Report CEM2020-001, **Assumption of Janetville United Church Cemetery**, be received; and

That Staff take the necessary action to assume ownership of Janetville United Church Cemetery as set out in the Funeral, Burial and Cremation Services Act, 2002, Section 101.1 Subsections 1 to 8; and,

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this decision.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Janetville United Church Cemetery is a one-half acre site located at 595 Janetville Road, just south of the village of Janetville. The cemetery abuts the Janetville Presbyterian Cemetery owned by CKL. The two sites have been owned and operated separately for many years.

The single volunteer who has kept the cemetery operating has been struggling to manage the administration and operational duties for the past few years.

On September 22, 2019, the Secretary of Janetville United Church Cemetery, Teresa Jordan, wrote to request that the municipality assume ownership of the cemetery. The letter states that the Janetville United Church Unified Board passed a motion initiating this action effective January 1, 2020.

There are no further lots available for sale and approximately three future interment rights to be exercised.

Rationale:

The Funeral, Burial and Cremation Services Act, 2002 Section 101.1 (subsections 1 – 8) provides for the owner of a Cemetery to legally abandon a Cemetery and voluntarily turn ownership over to the Municipality. Upon a declaration that a cemetery is abandoned being registered in the appropriate land registry office, the municipality becomes the owner of the cemetery with all rights and obligations in respect to the cemetery and the assets, funds, and trust accounts related thereto that the previous owner had.

Pursuant to Section 101.1 s. 2 (b), staff advised Teresa Jordan to contact the Bereavement Authority of Ontario (BAO) to make application to have the cemetery transferred to the municipality.

Other Alternatives Considered:

As indicated in the attached documentation, the City is obliged to assume ownership.

Financial/Operation Impacts:

- Estimated annual operating/maintenance costs are \$2,500.00
- There are no revenues from lot sales and interment revenue will be minimal
- Capital expenses: Future Monument Restoration estimated at \$5,000.00; fencing, stone gate post repairs and sign replacement estimated at \$15,000.00.

The cemetery owned 2 GIC's at Kawartha Credit Union with a face value of \$2,500.00 each. These investments have been redeemed and will be deposited to CKL's Cemeteries Trust Account for Care and Maintenance.

The operating account with Kawartha Credit Union with a balance of \$7,717.43 as of December 31, 2019 has been closed and the balance was transferred to City of Kawartha Lakes.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The actions within this Report contributes to the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

- Goal 2 – An Exceptional Quality of Life

Link to Strategic Plan

<https://documents.city.kawarthalakes.on.ca/sites/CorpDocs/Plans/2016%20Strategic%20Plan%20City%20of%20Kawartha%20Lakes.pdf>

Consultations:

Ministry of Consumer Services
Bereavement Authority of Ontario
Director of Community Services
Manager, Parks, Recreation & Culture
Supervisor, Parks & Open Spaces

Attachments:

Appendix "A"

Copy of letter from Teresa Jordan dated September 22, 2019



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Appendix "B"

Section 101.1 of the Funeral, Burial and Cremation Services Act, 2002



2234_001.pdf

Appendix "C"

2019 Financial Statement of Janetville United Church Cemetery



2235_001.pdf

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