

Report to Council

Report Title: Winter Interments in the Walkerton Cemetery
Prepared By: Gregg Furtney, Director of Operations
Department: Operations
Date: September 14, 2021
Report Number: PW2021-16 **File Number:** C11PW
Attachments: Winter Burials March 2010

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number PW2021-16 – Winter Interments in the Walkerton Cemetery, prepared by Gregg Furtney, Director of Operations, and in doing so approves proceeding with Option Two (2) - No winter interments with an update of the Cemetery By-law to indicate that interments will continue until the first snowfall, at the discretion of the caretaker, and that the spring interment dates would remain unchanged.

Report:

Background:

On November 24th, 2020, Council requested staff to bring forth a report for winter interments within the Walkerton Cemetery. The Walkerton Cemetery has not conducted winter interments in over ten (10) years for a number of reasons including operational costs and public safety/ liability. Brockton staff have brought forth reports in the past, the most recent being March 2010, as attached, where Council decided not to proceed with winter interments.

Currently, the Walkerton Cemetery has one (1) seasonal contract employee who is the Cemetery Caretaker. Their contract is from May 1st to October 31st annually. The Walkerton Cemetery ceases doing interments on October 31st, however interments have been conducted after this at the discretion of the Cemetery Caretaker. Their decisions, to proceed or not, are made considering weather and ground/ soil conditions (frost line). The soil type in the Walkerton Cemetery is mostly clay, and difficult to handle when frozen. The Brockton By-law 2013-006, states that:

No winter burials shall take place; they will be conducted in the spring of each year (April/May) at the discretion of the caretaker

Brockton temporarily houses, between October 31st and May 1st, on average over the last five (5) years, five (5) temporary residents in the Walkerton Cemetery Chapel that are destined for their final resting place in the

spring. The Chapel also temporarily houses up to 15 more temporary residents that are destined for their final resting place in the spring, at other cemeteries.

In October 2020, the Bereavement Authority of Ontario (BAO) Registrar Directive required that all cemeteries continue interments as late into the season **as is safe to do so**. Brockton staff continued interments until December 18th, 2020. Snow and frozen ground made the process difficult and unsafe, so interments stopped until spring.

In comparison, the Walkerton Catholic Cemetery, with its entrance off of Highway 9 and next door to the Walkerton Cemetery, stops interments once the ground is frozen. They then resume interments in the spring (April/ May).

Analysis:

Staff contacted all Bruce and Grey County municipalities, as well as some outside comparable municipalities, to see if they conducted winter interments, the results are as follows:

- One (1) municipality in Bruce County and six (6) municipalities in Grey County do conduct winter interments:
 - Kincardine (in town only)
 - City of Owen Sound
 - Municipality of Grey Highlands
 - Municipality of Meaford
 - The Blue Mountains
 - Town of Hanover
 - Municipality of Southgate
- Of those who do, there is one municipality looking to stop winter interments
- Eleven (11) of the eighteen (18) municipalities (61%) surveyed **do not** conduct winter interments:
 - Municipality of Northern Bruce Peninsula
 - Municipality of South Bruce Peninsula
 - Town of Saugeen Shores
 - Municipality of Arran Elderslie
 - Municipality of Huron Kinloss
 - Municipality of South Bruce
 - Municipality of West Grey
 - Township of Chatsworth
 - Township of Georgian Bluffs
 - Municipality of Wellington North
 - Town of Minto

Below is applicable information for those who **do** conduct winter interments:

Municipality	Employees	Additional Notes
Municipality of Kincardine	Two (2) full time cemetery staff	Soil conditions make for easier digging as it is mostly sand. In town cemetery only.
City of Owen Sound	Two (2) full time cemetery staff	30+ interments between December 1 and May 1
Municipality of Meaford	Five (5) full time parks and recreation staff	No moving of headstones with 16 feet between each row
The Blue Mountains	One (1) full time cemetery staff, two (2) part time cemetery staff	No moving of headstones with 24 feet between each row
Township of Southgate	One (1) on call cemetery staff	Digging of plot is contracted out
Municipality of Grey Highlands	One (1) full time admin staff, two (2) contract cemetery staff	7 active cemeteries, digging of plot is contracted out
Town of Hanover	Five (5) full time public works staff	Approximately 20 interments between December and April

Should Council wish to proceed with winter interments, there are a number of things that need to be considered including:

- Winter Maintenance and Safety
- Staff Time
- Additional Equipment / Contracting Out
- Potential of Winter Interments

Winter Maintenance (Municipal Plowing) and Safety

For winter maintenance, the Operations department would need to purchase a larger tractor with a snow blower attachment for the roads within the cemetery. The single axel plows used on the municipal roads would not be able to access the cemetery roads due to the narrowness of the road and the large trees that line the roadways. The sidewalk plow has the potential to push the snow, however over the course of a winter, it could move, damage, and cover some of the smaller monuments on either side of the road. Additionally, by plowing it would create banks, which may cause difficulties getting to the interment sites later in the season. The roads and pathways would also need to be salted in order to prevent slips and falls, as would the grass areas leading to the plots. It is estimated that this process would take approximately 2-3 hours of additional staff time, each time.

A common misunderstanding regarding the frost line is that frost is deep in the ground throughout the winter season, when in reality, the snow acts as an insulator and only once the snow is removed does the frost line move deeper. Additionally, if the weather causes multiple melts, it will push the frost deeper as well. The frost line will be an issue for the plots closest to the cleared roads and pathways, as well as the surrounding area of

any prior winter interments that season. Most municipalities did not have issues with the frost line, however they either contracted the digging out or had special equipment to assist with the process, as discussed below.

As many residents regularly walk in the cemetery during the summer, staff are concerned with the possibility of a slip, trip or fall within the cemetery in the winter if the roads are cleared consistently. Unlike on a street sidewalk, the cemetery is secluded with less pedestrian or vehicle traffic, therefore if a resident were to have an incident, it could open the Municipality to unnecessary liability. Additionally, with each interment there will be a number of loved ones in attendance, as more people frequent the cemetery in the winter, there are more opportunities for a slip, trip or fall to happen – even on the best maintained roads.

In addition to the above work and liability, spring clean up will be challenging and time consuming. Roads within the cemetery would need to be swept as would the grass leading to the individual interment sites. The frozen ground that was placed back into the plots would need to be repacked and dressed. These plots that are filled back in with frozen ground after the funeral will pose a future tripping hazard until the spring. Grass typically takes up to 3 years to get established. Any damage to surrounding head stones would be the responsibility of the Municipality to repair or replace. Because of the frozen ground, no head stones in the surrounding area could be moved safely for a winter interment. That limits the ability of the backhoe operator doing the initial excavation.

Staff Time

The Operations Department roads staff is bound by O. Reg 366/18: Minimum Maintenance Standards for Municipal Highways. During the winter months, the operations staff dedicate the majority of their regular and overtime hours to ensuring that these standards are met and exceeded, where possible. Due to this, there may be occasions where staff are not able to accommodate the time or resources that it would require to dig for an interment. Currently there is no winter maintenance completed within the cemetery in the winter months.

During the summer, the average time for locating the plot, marking, preparing the plot for the interment and backfilling the plot is about four (4) hours. During the winter, the time to do all of these actions would at least double. For the December 2020 interments, it took three (3) times longer to properly prepare the plots and this was prior to a major snowfall. As interments were conducted late into the year in 2020, spring cleanup took the Cemetery Caretaker almost two weeks to complete, when in previous years a week would suffice.

Special consideration should be made for locating the plots. This aspect of the process could increase from 15-30 minutes to 1-2, or more, hours, depending on the location of the plot, difficulty, and the amount of snow. Accuracy in this part of the process is one of the most crucial aspects of the interment process as many of these plots are side by side with little margin for error. A misstep in this process could result in further grief for the family due to delays in the process.

Additional Equipment or Contracting Out

There is the option of contracting out the digging portion of the interments. A local contractor was consulted and it is estimated that the winter plot excavation cost, per plot, would be \$250-\$300, plus HST, and this does not include clearing the snow. The same contractor would clear snow on the roadways for \$275 plus HST, each

time, which would include plowing, sand and salting the roads. As mentioned earlier, plowing is not the staff preferred option.

With an average of five (5) winter internments, a contractor would cost the Municipality approximately \$3,100 plus the additional staff wages and benefits.

If the Municipality was to do the work, additional equipment would be required to conduct winter interments:

- Mini- excavator (\$30,000 to \$40,000)
- A quick cut saw (\$1,200)
- Propane or gas Generator (\$2,000) Note: concern with potential noise complaints
- Propane grave burner / Ground thawing blankets (\$2,000) Note: 1 inch/ hour on average

Potential of Winter Interments

Last year, there were four (4) interments after October 31st and staff had a total of twelve (12) residents using the chapel for over the winter, four (4) to be interred within the Walkerton Cemetery in 2021 and eight (8) to be interred elsewhere. Over the last five (5) years, the Walkerton Cemetery Chapel generally houses an average of six (6) residents that are to be interred in non-Brockton owned cemeteries and five (5) residents to be interred within the Walkerton Cemetery.

Staff present three (3) options, as listed below, but are recommending Option 2:

1. **Option 1:** No winter interments, keep the by-law and caretake contract the same as is.
2. **Option 2:** No winter interments, update the by-law to state interments will continue until first snowfall at the discretion of the caretaker, spring interment date to remain the same.
3. **Option 3:** Update the by-law to permit winter interments, update the fees and charges by-law to accommodate winter interment fees, extend contract to Cemetery Caretaker for an additional five (5) months, purchase new equipment or contract the services out.

Staff certainly understand the grief of the families that wish to inter their loved ones as soon as possible. However, Brockton is a rural municipality and as such, rural municipalities do spring internments. The clay soil and the harsh winters (snow, frost, ice, and wind-chill) we have made winter internments unsafe, for guests, staff, and equipment. It also makes for a very difficult clean up in the spring. These are concerns that are shared by other municipalities throughout the County and were identified in the attached staff report to Council from 2010 when Council decided, at the time, not to move forward with winter internments. Any change in services would require changes to the By-Law and following the notice and process outlined by the BAO.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? N/A
- Do the recommendations contribute to achieving Cultural Vibrancy? N/A
- Do the recommendations contribute to achieving Economic Prosperity? N/A

- Do the recommendations contribute to Environmental Integrity? N/A
- Do the recommendations contribute to the Social Equity? N/A

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? No

Option one (1) would have no financial impact. Option two (2) will have a small financial impact related to additional staff time. Option three (3) will have financial impacts that will need to be budgeted for in the 2022 operating budget.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Gregg Furtney, Director of Operations

Reviewed By:



Sonya Watson, Chief Administrative Officer