



BOLINGBROKE CEMETERY BOARD AGENDA

Thursday, August 24th, 2023 - 1:00 p.m.
Municipal Office – Council Chambers – 217 Harper Road

Chair, Councillor Wayne Baker

- 1. CALL TO ORDER**
- 2. AMENDMENTS/APPROVAL OF AGENDA**

Suggested Motion:
“THAT, the agenda be adopted as presented.”

- 3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**

- 4. APPROVAL OF MINUTES**

- i) Minutes – May 25th, 2023 – *attached, page 4.***

Suggested Recommendation:
“THAT, the minutes of the Bolingbroke Cemetery Board Meeting held on May 25th, 2023 be approved as circulated.”

- 5. BUSINESS**

- i) Disinterment Rights Certificate – *attached, page 9.***

Legal has now had a chance to review the certificate. The final version is attached to this agenda and has been handed out so that Members can include in their binders.

- ii) Contract for Disinterment Rights – *attached, page 10.***

Legal has now had a chance to review the certificate. The final version is attached to this agenda and has been handed out so that Members can include in their binders.

iii) **Bolingbroke Cemetery By-Law – Status Update.**

The By-Law will go to Council at the August 24th, 2023 Council meeting (tonight at 6:00 p.m.) and be forwarded to the BAO for final approval.

iv) **Name Sign Update.**

Now installed.

v) **General Account versus Care and Maintenance Fund Account – *to be distributed at the meeting.***

vi) **Memorial Service Update.**

vii) **Continuing to Operate the Cemetery – Options if there are no Volunteers.**

viii) **Expansion of Cemetery – On Hold until Continuity Plan in Place.**

[capacity to run the cemetery, survey, fencing, lot addition, new entrance and repair pillars, 1 new double gate, trees (donated)]

ix) **Price List Update – *attached, page 19.***

Suggested changes are highlighted in yellow.

6. NEW/OTHER BUSINESS

None.

7. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: To be determined.

Proposed Agenda Items: Expansion of Cemetery

8. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

· None.

9. ADJOURNMENT

MINUTES

BOLINGBROKE CEMETERY BOARD MINUTES

Thursday May 25, 2023

1:00 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

ATTENDANCE:

Members Present: Chair, Councillor Wayne Baker
Doug Boyd
Darla Kilpatrick (left at 2:13 p.m.)
Ron Fournier
Betty Anne Gillespie

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Maureen van Dreumel, Community Services Coordinator
Olivia Trudel, Executive Assistant/Recording Secretary

Members/Staff Absent: None

1. CALL TO ORDER

The meeting was called to order at 1:04 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF THE AGENDA

The agenda was approved as presented.

3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF

None at this time.

4. APPROVAL OF MINUTES

i) **Minutes – April 21st, 2023**

The minutes of the Bolingbroke Cemetery Board Meeting held on April 21st, 2023, were approved as presented.

5. BUSINESS

i) **Contract for Internment Rights.**

D. Boyd commented that there is not a version date on the Contract for Internment Rights to keep track of which version is the current version when updates are made.

The Community Services Coordinator will add a version date to the Contract for Internment Rights.

ii) **Disinterment Rights Certificate.**

The Disinterment Rights Certificate is still with legal.

iii) **Contract Disinterment Rights.**

There is still an outstanding item regarding plots that have been disinterred: what can the Cemetery do with the plot? Legal will get back to the Township on this matter.

iv) **Bolingbroke Cemetery By-Law – Status Update.**

The Draft By-Law will go to Council in August and then it will go to the BAO for final approval.

v) **Cemetery Checklists**

The Community Services Coordinator explained that the Cemetery Checklists are to be used as a Standard Operating Procedure (SOP). There is a Legacy Buyer Checklist – *attached, page 5*, and a New Buyer Checklist – *attached, page 11*.

Board Members are to review the checklist prior to meeting with a buyer so that the correct procedure is followed.

Members asked what happens to the Cemetery if none of the Board Members want to or cannot continue operating the Cemetery?

Cemeteries are either active, inactive or abandoned. Staff will re-read the legislation and investigate the options.

There is also concern about sold, empty plots. If the Cemetery becomes inactive, what happens to them?

vi) **Name Sign Update**

The sign is in production. Public Works will schedule the installation when the sign is complete.

vii) **General Account versus Care and Maintenance Fund Account – No Update.**

viii) **2023 Draft Budget – *attached, page 17.***

B. A. Gillespie stated that last year, the grass cutters gave her the receipt. She then scanned and sent the receipt to the Tay Valley Township Treasurer. The Treasurer paid that receipt. B. A. Gillespie asked if they could continue operating that way. The CAO/Clerk stated that if the Treasurer is okay with that, they can continue with that procedure.

B.A. Gillespie distributed the Draft Budget to the Board Members, CAO/Clerk and Community Services Coordinator. The CAO/Clerk suggested creating two line items: Office Supplies and General Expenses, instead of combining these items.

RESOLUTION #BCB-2023-05

MOVED BY: Betty Anne Gillespie
SECONDED BY: Doug Boyd

“**THAT**, the Bolingbroke Cemetery Office Supplies line item be split in two separate accounts; Office Supplies with a budget of \$500.00 and General Expenses with a budget of \$500.00.”

ADOPTED

RESOLUTION #BCB-2023-06

MOVED BY: Darla Kilpatrick
SECONDED BY: Betty Anne Gillespie

“**THAT**, the 2023 Bolingbroke Cemetery operating budget be approved as amended.”

ADOPTED

ix) **Memorial Service**

B. A. Gillespie noted that the Memorial Service is always scheduled for the second Sunday in July. This year the date is July 9th, 2023 at 10:30 a.m.. The Township will post an ad on the website Newsfeed, web Calendar and Facebook page. Volunteer Janet Gray will post the ad to the Bolingbroke Cemetery Facebook page.

The Township may send out a media release to local media.

At the service the volunteer were going to explain the new process for the cemetery and also ask for volunteers.

x) **Donation Link on Website**

The CAO/Clerk explained that a donation link could be added under the Bolingbroke Cemetery page on the Tay Valley Township website. Anyone can access this link to make a monetary donation or a donation in kind.

xi) **Expansion of Cemetery**

Discussions about the expansion will be put on hold until the Board determines a continuity plan for the operations of the Cemetery.

6. NEW/OTHER BUSINESS

None.

D. Kilpatrick left at 2:13 p.m.

7. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: August 24th, 2023 at 1:00 p.m.

8. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- *Disinterment Rights Certificate.*
- *Contract Disinterment Rights.*
- *Bolingbroke Cemetery By-Law – Status Update*
- *Name Sign Update*
- *General Account versus Care and Maintenance Fund Account – No Update.*
- *Price List – review Fall 2023*
- *Memorial Service Update*
- *Continuity Plan*
- *Expansion of Cemetery (on hold)*

9. ADJORNMENT

The meeting was adjourned at 2:23 p.m.

BUSINESS

Disinterment Rights Certificate

Disinterment Rights Certificate #: _____

Date Purchased: _____

Contract #: _____

Disinterment Rights Holder(s): The Disinterment Rights Holder(s) listed below have the right to direct/consent to the burial, and memorialization associated with the Disinterment Rights in conjunction with the cemetery by-laws.

Rights Holder Name: _____ Executor of Recipient Name: _____

Address: _____ Address: _____

City: _____ Province: _____ City: _____ Province: _____

Postal Code: _____ Postal Code: _____

Cemetery Name: Bolingbroke Cemetery

Cemetery Address: 116 Bolingbroke Station Road, Maberly, ON, K0H 2B0

Cemetery Phone Number: 613-273-5441

Disinterment Right Location:
(Detailed description of the location with lot & plot numbers)

Disinterment Right Type: Grave

Price:

Area:

Disinterment Right Capacity:

Refer to the Cemetery By-Law(s) provided to you at the time of purchase for a complete listing of by-laws that apply to your specific Disinterment Right.

The cemetery by-law prohibits private transfer of the Disinterment Rights, allowing the Rights Holders to only transfer their Rights back to the cemetery operator for the current amount in effect on the cemetery's price list at the time of transfer. The Disinterment Rights Certificate must be returned to the cemetery operator if the Rights Holder(s) wish to transfer their rights back to the cemetery operator. If the original Disinterment Rights Certificate is misplaced the cemetery operator must issue a duplicate certificate in order to complete the transfer of ownership of the Disinterment Right, and the cemetery operator is entitled to charge an administration fee (as shown on the cemetery's price list) for the issuance of a duplicate certificate.

Cemetery Board Member Signature (also print full name)

Date the Certificate was Issued



Bolingbroke Cemetery

Contract for the Purchase of Disinterment Rights or Cemetery Services

The Corporation of Tay Valley Township
217 Harper Road, Perth, Ontario
613-267-5353 or 1-800-810-0161
Operator License #: 3281089

Person in Charge of Day-to-Day Operations
Darla Kilpatrick
613-273-5441
Site License #: CM-01929

Contract Information

Date of Purchase (Day/Month/Year): _____

Contract Number: _____

Certificate Number: _____

Pursuant to the *Funeral, Burial and Cremation Services Act, 2002* and *Ontario Regulation 31/11*, as amended, the **Disinterment Rights Holder(s)** listed below has the right to direct/consent to the opening of the provided Lot, the removal of the human remains or cremated human remains therein, and the closing of the lot, in conjunction with the cemetery by-laws.

This contract is between the Purchaser AND The Corporation of Tay Valley Township, concerning cemetery (116 Bolingbroke Station Road, Maberly, Ontario) Disinterment Rights for the recipient(s) as identified in this contract. The Purchaser represents being legally authorized or charged with the responsibility for the Recipient(s) cemetery Disinterment Rights and cemetery rights and services as specified in this contract. This agreement will be enforceable to the benefit of, and be binding upon, the parties hereto and their respective heirs, executors, administrators, successors, and assigns.

Original Contract Date of Purchase: _____

Original Interment Rights Certificate #: _____

Original Interment Rights Contract #: _____

Purchaser Information

Name:	
Address:	
Telephone:	

Email:	
Purchaser's Relationship to Recipient #1:	
Purchaser's Relationship to Recipient #2:	
Purchaser's Relationship to Recipient #3:	
Purchaser's Relationship to Recipient #4:	

Recipient #1 to be Disinterred Information

Name:	
Lot:	
Plot:	

Recipient #2 to be Disinterred Information

Name:	
Lot:	
Plot:	

Recipient #3 to be Disinterred Information

Name:	
Lot:	
Plot:	

Recipient #4 to be Disinterred Information

Name:	
Lot:	
Plot:	

Executor of Recipient #1 Information (attach proof to Township copy)

Name:	
Address:	
Telephone:	
Email:	

Executor of Recipient #2 Information (attach proof to Township copy)

Name:	
Address:	
Telephone:	
Email:	

Executor of Recipient #3 Information (attach proof to Township copy)

Name:	
Address:	
Telephone:	
Email:	

Executor of Recipient #4 Information (attach proof to Township copy)

Name:	
Address:	
Telephone:	
Email:	

Disinterment Rights Details

Number of Graves:	
Lot:	
Plot:	

Confirmation of Purchaser's Authority to Disinter

Confirmation of Internment Rights – Contract for the Purchase of Internment Rights and/or Internment Rights Certificate <i>(attach copy to this document)</i>	Yes or No <i>(circle one)</i>
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Items Purchased:

Quantity	Description	Unit Price	Care & Maintenance Fund	Price
	Disinterment	\$350.00	\$ -	\$
	Removal of Marker or Bench	\$100.00	\$ -	\$
	Issuing a Duplicate Disinterment Rights Certificate	\$25.00	\$ -	\$
			Total Payable	\$

Payment

Payments shall be made to a member of the Cemetery Board by cash or cheque.

No disinterment or removal of any Marker, or memorialization is permitted until the Disinterment Rights have been paid in full. Payment must be made prior to signing this contract.

Contract Terms and Conditions

1. Cancellation of Disinterment Rights within 30 Days of Purchase

If the above Disinterment Rights have not been used, the Purchaser may cancel the contract within thirty (30) days of signing the Disinterment Rights contract, by providing written notice of the cancellation to a member of the Cemetery Board.

The Cemetery Operator will refund all monies paid by the Purchaser within thirty (30) days from the date of the request for cancellation.

2. Cancellation of Disinterment Rights after the 30-Days Following Purchase

Upon receiving written notice from the Purchaser of the Disinterment Rights, the Cemetery Operator will cancel the contract and issue a refund to the Purchaser for the amount paid for the Disinterment Rights.

This refund will be made within thirty (30) days of receiving said notice.

If the Disinterment Rights Certificate has been issued to the Disinterment Rights Holder(s), the

certificate must be returned to a member of the Cemetery Board along with the written notice of cancellation.

If any portion of the Disinterment Rights has been exercised, the Purchaser, or the Disinterment Rights Holder(s) are not entitled to cancel the contract or re-sell the Disinterment Rights.

3. Disinterment Rights not Exercised within 90 Days of Purchase

If the above Disinterment Rights have not been used, Contract for the Purchase of Disinterment Rights shall be deemed null and void.

4. Repurchase of Interment Rights by Cemetery Operator:

The resale of Interment Rights to a third party is prohibited.

The repurchase of unused Interment Rights in a Plot is not permitted if one of the Interment Rights in the Plot has been exercised.

An Interment Rights Holder may require, in writing, the Cemetery Board to repurchase the rights at any time before they are used.

Should a written request be made to repurchase the Interment Rights, the repurchase price of the Interment Rights shall be at the current price list amount less any Care and Maintenance Fund contribution amount previously made.

The Interment Rights Holder requesting the repurchase of the rights must return the Interment Rights Certificate to a member of the Cemetery Board and the rights holder(s) must endorse the Interment Rights Certificate, transferring all rights, title and interest back to the Cemetery Board.

The appropriate paperwork must be completed before the Cemetery Operator reimburses the rights holder(s).

The repurchase and payment to the rights holder will be made within thirty (30) days of receiving said request.

Notwithstanding the above, if the repurchase of Interment Rights become available as a result of a Disinterment, the repurchase of Interment Rights in a Plot is only permitted if the rest of the Interment Rights in the Plot have not been exercised.

Should the repurchase of Interment Rights occur as a result of a Disinterment, the repurchase price shall be waived. The Interment Rights holder is not entitled to any repurchase price.

5. Disinterment

Disinterment Rights Holder(s) must contact the person in charge of day-to-day operations and inform them of the scheduled disinterment date prior to a disinterment taking place.

Should the Interment Rights Holder be deceased, authorization must be provided in writing by the person authorized to act on behalf of the Interment Rights Holder in keeping with the *Succession Law Reform Act* (i.e. Personal Representative, Estate Trustee, Executor or next of kin).

A Disinterment Rights Holder must obtain the consent of the applicable Interment Rights Holder before a disinterment takes place, unless exempted by the Act or Regulations.

A Disinterment Rights Holder must give notice to the Medical Officer of Health prior to the disinterment taking place, except in the case of disinterment of cremated remains or where exempted by the Act or Regulations.

The removal of human remains shall not be removed from the cemetery property until a certificate of compliance with the Act and Regulations has been affixed to the container holding the remains by either the Cemetery Operator or a Medical Officer of Health.

By initialing below, the purchaser acknowledges they have obtained the necessary authorization and, where required, given the necessary notices as required by the Act and Regulations. By initialling below, the purchaser further acknowledges that it is their sole responsibility to obtain said authorization and give said notice, and the Corporation of Tay Valley Township is not responsible or liable for any failures to do so.

{_____} I hereby acknowledge I have obtained the authorization to Disinter from the Internment Rights Holder of the Lot(s) as outlined in this contract.

{_____} I hereby acknowledge I have notified the Medical Officer of Health of my intent to Disinter the Lot(s) as outlined in this contract, if applicable.

6. Memorialization

The Purchaser shall define whether the Marker shall be returned to the Purchaser or destroyed.

Confirmation of Memorial Marker Post Disinterment

The Purchaser would like to retain the Marker	Yes or No (circle one)
The Purchaser would like the Marker destroyed	Yes or No (circle one)

No Marker shall be removed from a Lot until all charges have been paid in full and/or a permit is obtained from a member of the Cemetery Board.

No Marker of any description shall be placed, moved, altered, or removed without permission from a member of the Cemetery Board.

Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered normal wear and tear.

The Cemetery Board will take reasonable precautions to protect the property of Disinterment Rights Holders, but it assumes no liability for the loss of, or damage to any Marker, or part thereof.

The removal of a Marker shall not interfere with other interments or markers.

7. Causes beyond the Cemetery Operators' Control

The Cemetery Operator cannot be responsible if unable/prevented from carrying out this contract due to causes beyond its control.

8. Privacy Policy

The Purchaser acknowledges and provides consent to permit the Corporation of Tay Valley Township to collect, use and disclose your personal information in accordance with the requirements under the *Funeral, Burial and Cremation Services Act, 2002* and *Ontario Regulation 31/11*, as amended, for information within the cemetery public register. The Purchaser also understands that the Corporation of Tay Valley Township does not rent or sell personal information to third party organizations.

9. Consumer Information Guide and cemetery price list: By initialing below, the Purchaser acknowledges receiving a copy of the Ontario Government's Consumer Information Guide (where made available by the Registrar) and the cemetery price list at the time of entering into this contract.

{_____} I hereby acknowledge I have been offered and/or received a copy of the Ontario Government's **Consumer Information Guide** and a copy of the cemetery **Price List**.

I have reviewed the Contract's terms and conditions and hereby confirm that the Disinterment Rights, as specified in this contract are complete and correct. I direct the Cemetery Operator to proceed with the sale of the Disinterment Right(s), as identified in the contract in accordance with the cemetery by-laws which are now or at any time

hereafter in force.

{_____} I hereby acknowledge I have received and reviewed a copy of the **cemetery's by-laws.**

The contract date set out below is the date on which this contract is accepted by the Cemetery Operator.

I acknowledge having received a copy of this contract and will assume full responsibility for payment of the total contract amount to the Cemetery Operator in accordance with the contract's terms and conditions.

Original Purchaser of Interment Rights Signature:

_____ **Date:** _____

Person Authorized to Act on Behalf of Interment Rights Holder to be Disinterred:

_____ **Date:** _____

Accepted on behalf of the Cemetery Operator by:

Board Member Name: _____

Board Member Signature: _____ **Date:**

Note: *The Cemetery Operator MUST:*

- Have two original copies of the Disinterment Contract signed. Provide one to the Purchaser and the other to the Township
- Attach a copy of the Contract for the Purchase of Interment Rights and/or Interment Rights Certificate
- Attach a copy of the Proof of Person Authorized to Act on Behalf of Interment Rights Holder to be Disinterred
- Check a copy of the ID (e.g. driver's license, passport) of the Purchaser and Person Authorized to Act on Behalf of Interment Rights Holder to be Disinterred



Bolingbroke Cemetery Price List

(effective January 1, 2024)

The Corporation of Tay Valley Township
217 Harper Road, Perth, Ontario
613-267-5353 or 1-800-810-0161
www.tayvalleytpw.ca

Person in Charge of Day-to-Day Operations
Darla Kilpatrick
613-273-5441

Internment Rights and Marker Limitations

Internment Right	Number of Burials Allowed	Marker Allowed?
Single Lot	1 Casket or 2 Cremated Remains	Yes
Double Lot	2 Caskets or 4 Cremated Remains	Yes

Internment Rights (Lot Sales)

Type of Plot	Size	Land Fee	Care & Maintenance Fund	TOTAL
Single Lot	4' 6" w x 11' long	\$600	\$290	\$890
Double Lot	9' w x 11' long	\$1,200	\$580	\$1,780

Burial Charges

Service	TOTAL
Gate Fee	\$350
Supplier Erection of Marker or Bench	\$100
Disinterment	\$350
Disinterment – Removal of Marker or Bench	\$100

Other Services

Service	TOTAL
Issue a Duplicate Internment Rights Certificate	\$25
Issue a Duplicate Disinterment Rights Certificate	\$25

Marker Care and Maintenance Rates

Marker	Fee	Care & Maintenance Fund	TOTAL
Flat Marker (less than 173 squared inches)	\$0	\$50	\$50
Flat Marker (at least 173 squared inches)	\$0	\$100	\$100
Upright Marker (4' x 4")	\$0	\$200	\$200
Upright Marker (larger than 4' x 4')	\$0	\$400	\$400

Payment

Payments shall be made to a member of the Cemetery Board by cash or cheque.

No burial, **disinterment**, installation **or removal** of any Marker, or memorialization is permitted until the Internment Rights **or Disinterment Rights** have been paid in full.

Care and Maintenance Fund Contribution:

Required under the *Funeral, Burial and Cremation Services Act* (including *Ontario Regulation 30/11*) the contributions noted above will be remitted to an irrevocable cemetery care and maintenance trust fund. Income from this fund will be used for care and maintenance expenses of the cemetery in perpetuity.

Note:

Items not on the Price List are provided through third parties and are subject to separate fees. For example, excavating the Lot, purchase of a Monument, etc.