



HOWARD COUNTY CEMETERY PRESERVATION ADVISORY BOARD

3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

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July 2019 Minutes

Tuesday, July 9, 2019; 10:00 -11:30 a.m.

The bi-monthly meeting of the Cemetery Preservation Advisory Board was held in the Ilchester room on the 2nd floor at 3430 Court House Drive, Ellicott City, MD 21043. All cases are public meetings unless otherwise indicated. All inquiries should be made to: 410-313-2350.

Members Present: Liz Larney, Chair; Mike Bennett
David Zinner, Liaison to the Maryland Advisory Council on Cemetery Oversight

Staff Present: Beth Burgess; Kaitlyn Clifford; Susan Overstreet

Public: Melinda Chaney Farnsworth, Savage Cemetery; Roberta Kelly, Howard County Fire Department; Joel Broida, Bet Aviv Congregation

General Topics

Cemetery Updates

Cemetery Inventory: Inventory update have continued with the help of Resource Conservation Division staff. Ms. Overstreet gave a presentation on the sites she and supporting staff have visited. Ms. Overstreet said that there are still about 64 sites on the original inventory that have not been visited that are not considered commercial or overseen by churches. Ms. Overstreet stated that RCD staff have visited the following: #7-6 Joshua Warfield, #13-4 Hanson Dorsey Family, #13-7 Peddicord Gravesite, #16-1 St. Mary's – Pebble Beach Drive, #24-5 Dorsey at Arcadia, #25-2 Quaker Hill, #25-4 Unknown -Ellicott Brothers, #25-6 Dyson Gravesites, #25-8 Forbes Gravesite, #31-4 Locust Chapel, #31-5 Hanson cemetery, #37-11 Howard Research and Development, #38-8 South Point, #38-9 Anderson Cemetery, and #47-5 Old Savage inventory sites. Additionally, #28-1 Treakle Family inventory site was visited but not inventoried as the property owner is working to revitalize the site. Staff are unable to locate sites #10-2 Good Fellowship and #47-2 Shipley Family inventory sites.

Ms. Overstreet shared that through the course of viewing the cemetery sites, cemetery ownership and lack thereof has become an issue with need for cemetery upkeep and maintenance. St. Mary's cemetery and Dorsey at Arcadia cemetery both pose particular issues. St. Mary's is located between a subdivision and wooded area but is considered a County open space parcel. Mr. Zinner asked if it would be appropriate to contact the County to ask for assistance in the maintenance and upkeep of the site. Ms. Burgess stated that the Department of Recreation and Parks had lack of funding overall and did not have a specific cemetery funds. Ms. Larney stated the property was an open space and not a manicured park and the only requirements from St. Mary's for the property when given to the County were if bodies were to be disinterred they would be reinterred at another Catholic cemetery. Mr. Zinner stated it may be prudent to contact the Catholic Church to have this site maintained.

Dorsey at Arcadia is discussed further during the Cemetery Parcel Scenarios. Mr. Zinner asked that a list of County owned open space areas that coincided with the cemetery inventory be created. Ms. Larney added the Columbia Associated owned cemeteries should be included on that list.

Other Cemetery Review

Adopt a Cemetery Program is Mr. Dorsey's initiative, as he was absent Ms. Burgess talked briefly over Mr. Dorsey's goal which is to figure out how to create a program to determine how an HOA or some such entity could take over ownership or care of an existing cemetery. While this would not be the responsibility of this Board or the County because it would be an agreement from private ownerships, Coalition to Protect Maryland Burial Sites would be a possible partner or working with the Office of Cemetery Oversight to create State legislation are potential routes to make this initiative happen.

Ms. Larney stated there was a Supreme Court case *17-647 Knick v. Township of Scott Pennsylvania*, where the government had laws stating people could enter private properties that had public cemeteries on it. The homeowner of a public cemetery disagreed citing her Fifth Amendment was being violated by not having compensation for her private property being entered by the public. Ms. Larney cautioned that follow up on the case was necessary as it could affect the possibility of implementing the Adopt-a-Cemetery Program.

Ms. Clifford will follow up with the case to find out the outcome of the proceedings and how it could potentially affect the initiative.

Cemetery Parcel Scenarios

Ms. Burgess discussed Dorsey at Arcadia ownership being platted as the HOA of Valley Meade, but it has since been defunct. The site is overgrown with invasive plantings and there has been no projects to the interior of the cemetery to upkeep the area. Ms. Overstreet stated the recorded owner is Greenway Construction Company but all efforts to contact the company have been unanswered. A certified letter was mailed to the company and returned to County offices.

Ms. Burgess suggested the idea of requiring ownership of cemeteries be determined when reviewing new subdivisions. Mr. Zinner asked if there could be a requirement for developers to have a perpetual care fund if the HOA were to disband. Ms. Burgess stated this would need to be discussed with the Office of Law.

Outreach

Hands on History will be held on August 8th, Ms. Kelly and Ms. Farnsworth volunteered to run the CPAB booth during the conference.

Other Business

Mr. Zinner said he is working to revive PRINCE - the prison cemetery project in which prisoners are brought to cemetery sites to do upkeep and maintenance. The prisoners do the work with tools provided by the cemetery owners. There is no charge to non-profit cemeteries if the program is utilized once a year.

The meeting was adjourned at 11:22 am.

Next meeting, Tuesday, September 10, 2019 at 10am in George Howard building.