

City Council

Staff Report

TO: Honorable Mayor and City Council
FROM: John Jansons, City Manager *JJ*
DATE: September 12, 2016
SUBJECT: Deep Creek Cemetery

RECOMMENDED ACTION:

That the City Council receive and file updated information regarding Deep Creek Cemetery with possible direction to Staff.

BACKGROUND and DISCUSSION:

At the August 2016 City Council meeting residents voiced their concerns for the condition of Deep Creek Cemetery located outside the City Limits, east of Farmersville.

The concerns voiced included:

- dead grass throughout the cemetery, and
- the condition of the soil surface having been damaged by burrowing rodents.

As a result of the City Council's interest in these concerns and their direction to Staff, Staff performed some cursory research and contacted the Exeter District Cemetery General Manager to inquire about the current condition of the cemetery.

What Staff learned is as follows:

- There are 14 Memorial Districts in Tulare County (***see Attachment 1***) established under the Military and Veterans Code Sections 1170 through 1259, and are each governed by a Board of Directors elected by voters within each district.
- The Deep Creek Cemetery is part of the Exeter Memorial District which includes three cemeteries, including the Exeter Memorial Park, Deep Creek Cemetery and Hamilton Cemetery. The District is governed by its own Board of Directors elected by voters within the District. (***See Attachment 2, District Organization and District Map***)

- The cemetery is operated by Roy Nelson, General Manager and two employees.
- The annual budget is approximately \$36,000 to \$50,000 per year based upon fluctuating property tax assessments received to sustain their operations and staff.
- In 2014, as the drought worsened, it was publicized that the cemetery's well had gone dry and that the District did not have the resources to drill a deeper well to reach water and according to General Manager, Roy Nelson, "we are out of options". **(See attached Foothills Sun Gazette article dated, June 25 2014.)**
- According to Nelson, the District does not have the funds to dig a deeper well and Nelson address the other concerns as well:
 - Further according to Nelson, the rodent problem has transitioned from gophers, who vacated once the grass died, to the current problem of burrowing ground squirrels. Because the cemetery is open to the public, the district does not apply chemical agents to eradicate the squirrels due to potential liability associated with accidental human ingestion of the poison(s).
 - Burials at Deep Creek are limited to approximately one every three years where individuals are interred within family plots. Overall, the cemetery business has been in steep financial decline due to the preference for cremation by many families, thereby reducing the resources available to the District to fund operations and maintenance or any capital improvements associated with the provision of irrigation water.
- Finally, Mr. Nelson expressed his willingness to address the Council in future should that be desired to further discuss the issues at Deep Creek Cemetery and any solution the City Council or community may have to offer.

ATTACHMENT(S): 3

- 1) Tulare County Memorial District Map,
- 2) Exeter Memorial District Synopsis and District Map.
- 3) Foothills Sun Gazette Article, Dated

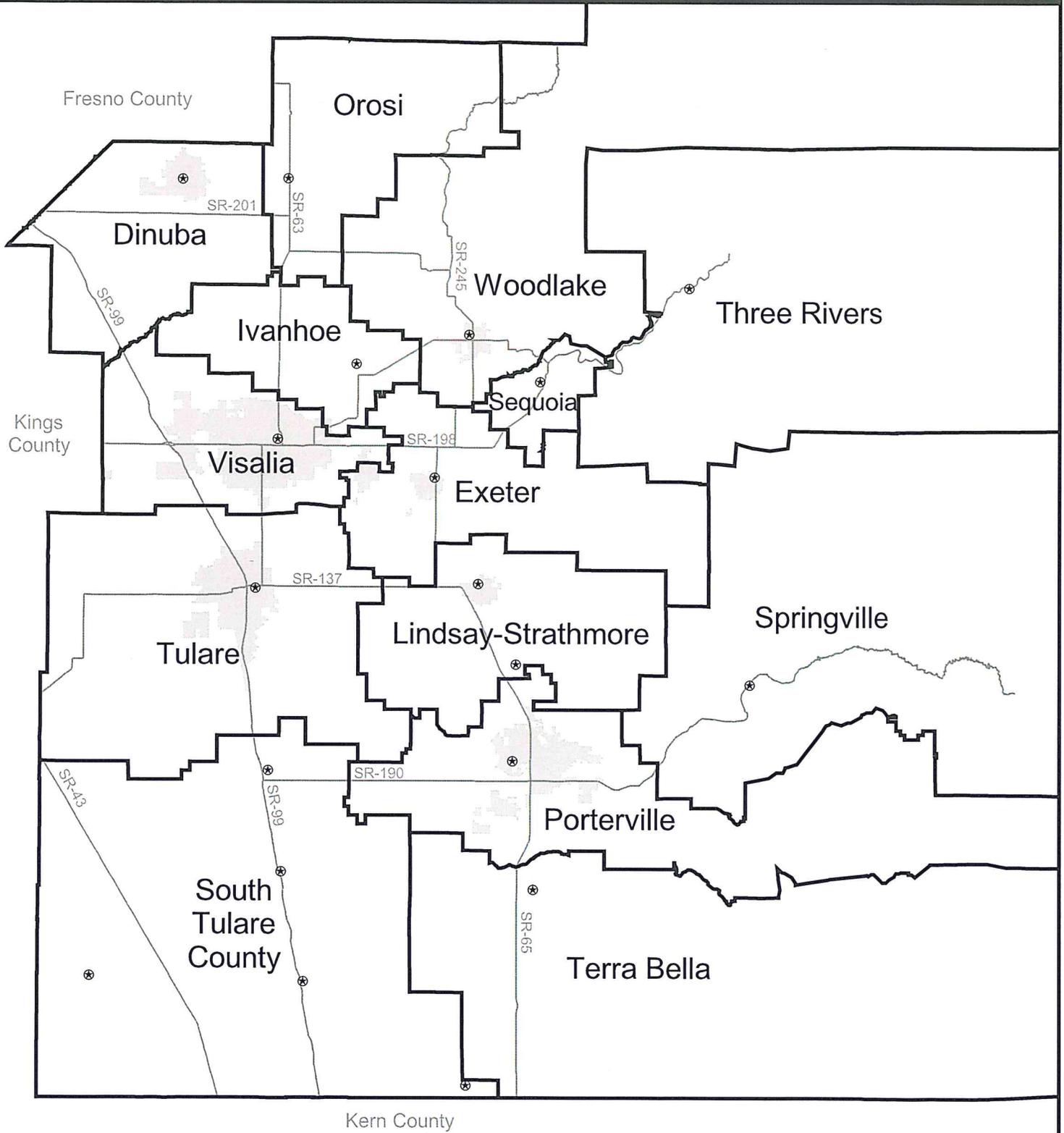
Respectfully Submitted By:



John Jansons
City Manager

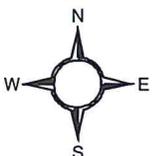
Tulare County Memorial Districts

Attachment 1



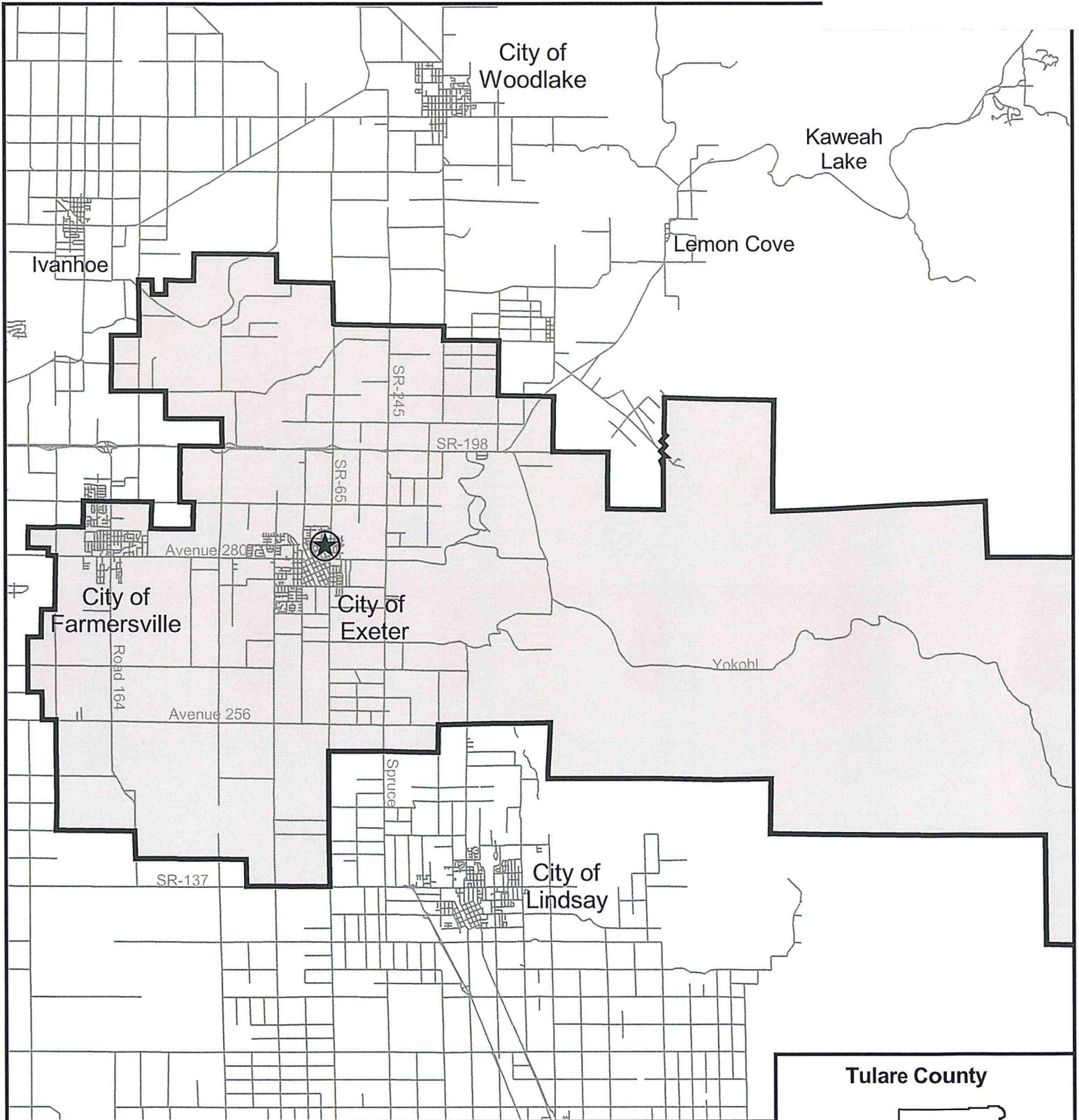
- State Highways
- ▭ Cities
- ▭ Districts

Principal Counties:
Memorial Districts can not
cross county boundaries



Exeter Memorial District

Attachment 2

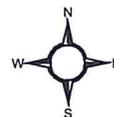


— Road Network

▭ Sphere of Influence

▭ District

★ Veterans Memorial Building

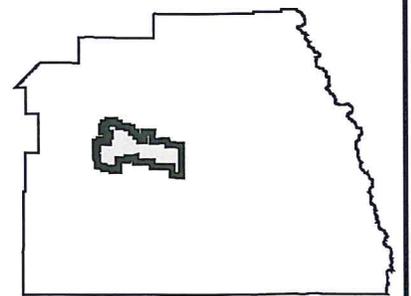


0 2 4 6 Miles



Boundaries as of 9/30/12

Tulare County



MEMORIAL DISTRICTS



Memorial Districts are established under the Military and Veterans Code Sections 1170 through 1259.

Districts are governed by a board of five directors elected by voters within the district.

In addition to its general powers, a Memorial District has the following specific powers provided by statute: (Numerical references are to sections of the Military and Veterans Code)

- Provide and maintain memorial halls, assembly halls, buildings, or meeting places, together with suitable indoor and outdoor park and recreation facilities including swimming pools, picnic areas, and playgrounds for the use of persons or organizations other than veterans pursuant to paragraphs 8 and 9 of this section and veteran soldiers, sailors and marines. [§1191(a)(1)]
- Purchase, receive by donation, condemn, lease or acquire real or personal property necessary or convenient for the construction or maintenance of halls, buildings, meeting places and facilities and improve, preserve, manage and control these facilities. [§1191(a)(2)]
- Enter into a joint powers agreement for recreational or senior citizens' services within the district [[§1191(a)(9)]

There are currently fourteen Memorial Districts within Tulare County.

DISTRICT: Exeter Memorial District

ADDRESS: PO Box 496, 324 N Kaweah Ave, Exeter CA 93221

PHONE: (559) 592-2263

FAX:

CONTACT: Johnny Carr

E-MAIL:

FUNCTIONS PERFORMED: Operation and maintenance of memorial building

METHOD OF FINANCING: Property taxes, rental revenue

BOARD OF DIRECTORS	SEAT TYPE	TERM OF OFFICE
Johnny Carr	Vet	12/1/11 – 11/30/15
Leamon Smith	Vet	12/1/11 – 11/30/15
Henry Simpson Jr.	Vet	12/1/11 – 11/30/15
David L. Heaton	Non-Vet	12/1/09 – 11/30/13
Bobby Sperry	Non-Vet	12/1/09 – 11/30/13

MEETING TIME: 2 nd Tuesday of the month at 7PM
MEETING LOCATION: District Office

PRINCIPAL COUNTY	TULARE	POPULATION:	21,198 (Census – 4/1/00)
DISTRICT AREA	93,161AC (145.6MI ²)	SOI AREA	93,161AC (145.6MI ²)
FORMED	January 1946	LAFCO RESO.	n/a
LAST SOI AMEND.	July 2, 1975	LAFCO RESO.	75-032



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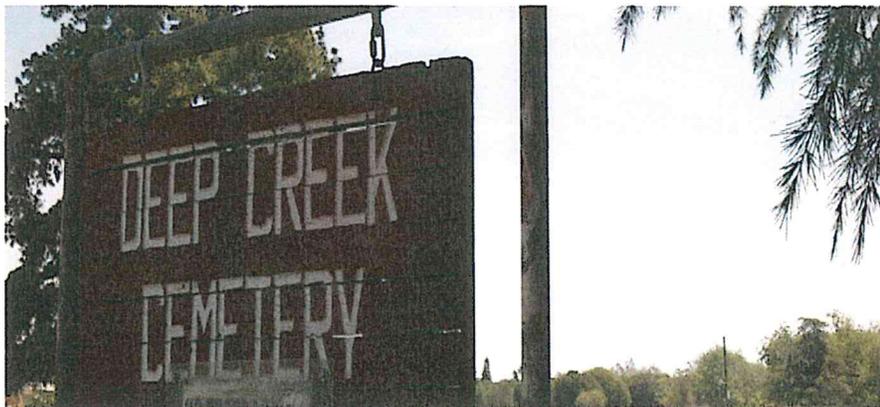
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Cemetery well, grounds go dry

Posted by: [Reggie Ellis](#) Posted date: **June 25, 2014** In: [News](#) | comment : **0**



Deep Creek Cemetery in Farmersville is one of the oldest cemeteries in Tulare County with graves dating back to the 1830s. Located on Road 168 just north of Farmersville High School, it was selected for its shallow water table and named after its proximity to plentiful creek running through one of the most fertile farmlands in the county. It also lies in the flood plain of the Kaweah River watershed, and was under several feet of water during the 1955 flood.

Water has always been well within reach beneath Deep Creek, but today, water at the cemetery is too deep to capture.

Deep Creek Cemetery is among many Farmersville wells to have dried up in the last few weeks. Roy Nelson, District Manager for the Exeter District Cemetery, which encompasses Deep Creek Cemetery, said the well at Farmersville cemetery went dry in April. Nelson said the pump was at 48 feet of a 60-foot well so he called CJ Hammer Pump Co. to lower the well 5 feet. The deeper pump provided water to irrigate the cemetery for a few weeks before it went dry last week.

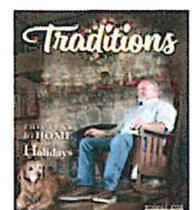
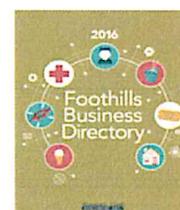
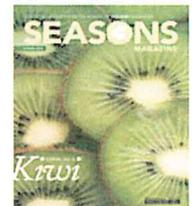
Exeter, California

Currently  **65°F**
Clear

Tomorrow  High **95°F**
Low **62°F**

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"People who live around the cemetery are saying their wells are going dry too," Nelson said about the 3-acre cemetery. "And some of those are 120 feet deep."

The water table is dropping everywhere. Wells at the Exeter cemetery were lowered as well. Nelson said the well at the Exeter cemetery was lowered from 90 feet to 142 feet in 2005 and there is only about 40 feet of water below the pump. Nelson said the only cemetery in the district not having water level issues is the 1.5-acre Hamilton Cemetery. Located on Avenue 310 just east of Highway 245, Hamilton has not had any water level issues.

Nelson said the only way to water the grass at the cemetery is to dig a deeper well, which could cost as much as \$XXX,XXX. That amount of money is not really an option for the cemetery district. Nelson said the cemetery industry, along with the funeral industry, has taken a huge hit since the housing market crash. He said people looking for more economical means of handling their loved ones' remains have moved from traditional burials to cremation. Nelson said the cemetery district historically has averaged 225 funerals per year. That number has dropped to 160 per year in the last five years.

"We are doing well just to keep the doors open," Nelson said, who has worked for the cemetery district for 30 years.

In order to help pay to drill a new well, Nelson said he checked with the California Association of Public Cemeteries to see if there were any grant or low-interest loan options for the cemetery. When that option fell through, Nelson thought about water trucks. In addition to being cost prohibitive (about \$200 per day), Nelson said he doesn't think the cemetery could handle the weight of the trucks.

"I'm pretty sure that much weight would cave in graves and destroy all of the water infrastructure," he said. "There is no positive outcome in that scenario."

Even if the cemetery district had the money, Nelson said there is a waiting list to drill new and/or deeper wells in the Valley. Due to the three-year drought, companies are quoting a 12- to 15-month waiting period for well projects, with domestic wells getting priority, followed by agriculture wells and, last on the list, are landscaping wells, such as cemeteries.

The dried up well is just the latest in problems for the Deep Creek Cemetery. In February, Farmersville residents took out their frustrations with the cemetery grounds on Facebook to try and clean up the cemetery. In response, the Exeter District Cemetery Board agreed to contract landscapers for the upkeep of Deep Creek Cemetery on April 1.

"We are generally considered a small crew compared to other cemeteries in a good year," Nelson said. "And we normally hire two full timers for the summer but we won't do that this year."

Nelson said the only option for Deep Creek going forward is to return the grounds the dirt. He said there are dirt cemeteries in Tulare County, including Three Rivers Public Cemetery. He said most of Deep Creek is covered in Bermuda grass, so once it is watered regularly the grass will come back even after an extended period without water.

"I know people will be upset about that, but there isn't much we can do," Nelson said. "We are out of options."

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Reggie Ellis



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