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# DELAWARE CEMETERY BOARD

MARK CHRISTIAN

BOARD CHAIR, PUBLIC MEMBER

# HISTORY

Crisis at Riverview  
Cemetery in  
Wilmington

29 DEL. C., CH. 79A

Delaware Cemetery  
Board

## DELAWARE CEMETERY BOARD MEMBERS

- ❑ Appointed by Department of Health and Social Services Cabinet Secretary.
- ❑ Each position has a three-year term.
  - Three members are cemetery owner/operators.
  - Two members are public representatives.
  - The Board Chair is voted by the members.

# DELAWARE CEMETERY BOARD MEMBERS

- ❑ Representation from all three counties.
  - Mark Christian, Board Chair – Public Representative (Founding member)
  - Len Dornberger - Cemetery Representative
  - Faith Kuehn - Public Representative
  - Grier Stayton – Cemetery Representative
  - Paul White - Cemetery Representative
- ❑ Director, DE Health Statistics Center and Office of Vital Statistics – Maridelle Dizon
- ❑ Administrative support from DPH, Delaware Health Statistics Center
  - Candace Casto, Administrative Support to the Board

# ENABLING LEGISLATION

## 29 DEL. C., CH. 79A

- Law had three objectives:
  1. Registration requirement for all cemeteries with Division of Public Health (DPH) (29 Del. C., § 7906A)
  2. Established Delaware Cemetery Board to administer Distressed Cemetery Fund.
  3. Established mechanism to refer complaints from the public relating to cemeteries.



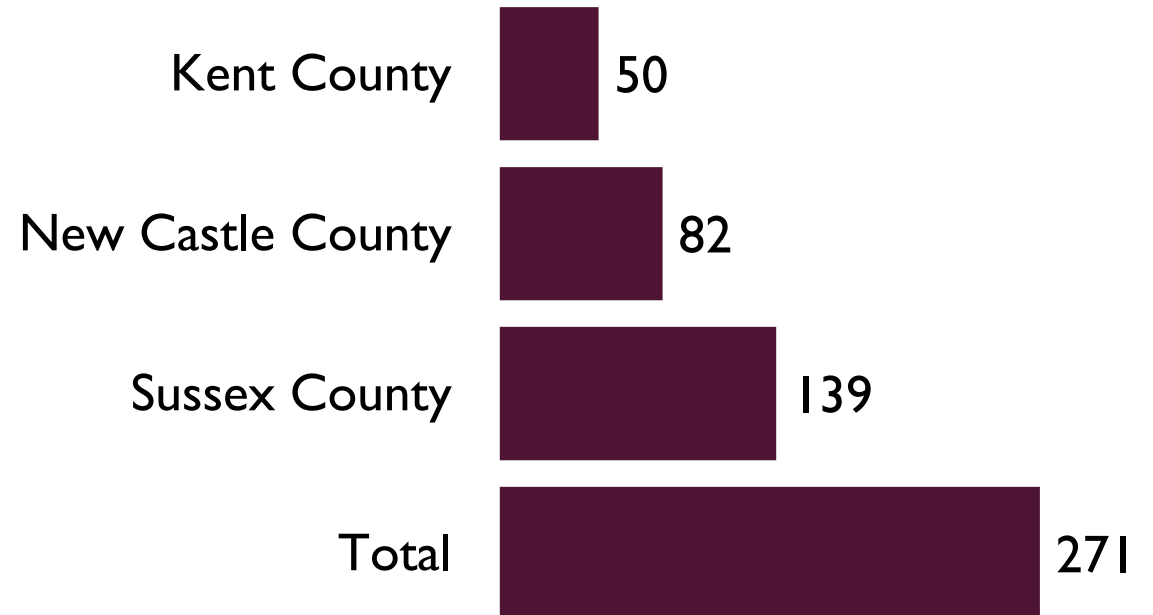
## OBJECTIVE #1

### REGISTRATION OF CEMETERIES

## REGISTERED CEMETERIES

- Currently, there are 271 registered cemeteries.
- More than half of the registered cemeteries (51%) are in Sussex County.
- Most Delaware cemeteries are small nonprofits operated by aging volunteers.
- There are 5-6 for profits cemeteries.

## Number of Registered Cemeteries by County, Delaware, 2025.



Source: Delaware Department of Health and Social Services, Division of Public Health, Delaware Cemetery Board.



## OBJECTIVE #2

ADMINISTRATION OF DISTRESSED CEMETERY FUND



## DISTRESSED CEMETERY FUND

Definition of distressed cemetery per 29 Del. C., § 7902A (6)

“Distressed cemetery” means any land or structure used or intended to be used for the interment/entombment of human remains including facilities used for the final disposition of cremated remains whereby the owner lacks sufficient financial resources for the maintenance or preservation of said cemetery as determined by the Board. An abandoned cemetery may qualify as a distressed cemetery if registered with the State by a responsible party/volunteer.

## SOURCE OF FUNDING

- \$2 from every death certificate sold is deposited in Distressed Cemetery Fund.

## REVENUE COLLECTED BY FISCAL YEAR, DELAWARE, FY 2015-2024.



Source: Delaware Department of Health and Social Services, Division of Public Health, Delaware Cemetery Board.

## HOLDING ACCOUNT BALANCE AS OF 3/31/2025

- As of 3/31/2025 – balance is \$597,254

## DISTRESSED CEMETERY FUND (CURRENT GUIDELINES)

- ❑ Cemetery must be registered before applying for funds and meet the definition of distressed cemetery.
- ❑ Board approved following changes to guidelines at the 8/30/2023 meeting.
  - Maximum request up to \$17,500
  - May apply 12 months from date of receipt of previous award
  - Match requirement equivalent to 50% of requested amount
    - may be met with real dollars and/or value of volunteer hours

## DISTRESSED CEMETERY FUND

□ Application package must include:

- Completed and signed application
- Three written vendor quotes for each type of work/equipment (may be online quotes from vendor's website).
- Photos of area needing work or existing old equipment that needs to be replaced (if large area, only need a sample of photos to show needed work).
- Need photo of cemetery sign with telephone number.

## DISTRESSED CEMETERY FUND

### ❑ Application package (con't.)

- Recent income/expense report and bank statements for all accounts.
- Volunteer hours/cemetery expenses must be documented. If using volunteer hours and/or cemetery expenses for match – list by project/year for past three years (e.g., date, weeded/trimmed 50 tombstones - 10 volunteers, total hours). Need copy of paid invoices to support cemetery expenses. DPH uses Independent Sector for hourly rate to calculate value of volunteer time. It usually changes every March.
- Small scale map (can be hand drawn).

## DISTRESSED CEMETERY FUND

- Application package (con't.)
  - Applicant's signature on the application is agreement to erect a sign with the cemetery name and telephone number if none exists and submit a written closeout report six months after receipt of the funds. Sign doesn't have to be expensive but must be visible to the public in case of emergency or to report vandalism.
  - Fillable financial application is on DPH's website at <http://dhss.delaware.gov/dhss/dph/hp/DECB.html> or one can be emailed or mailed.

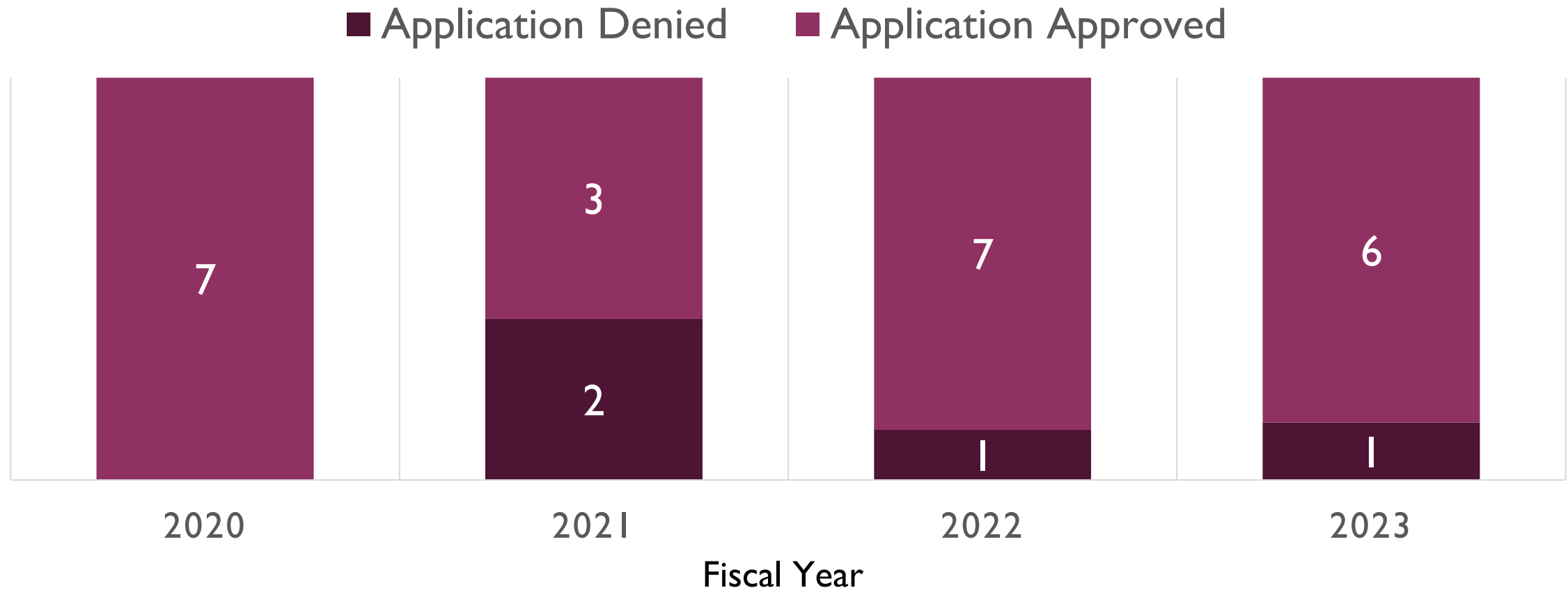


# DISTRESSED CEMETERY FUND

## ☐ Acceptable Uses of Distressed Cemetery Funds

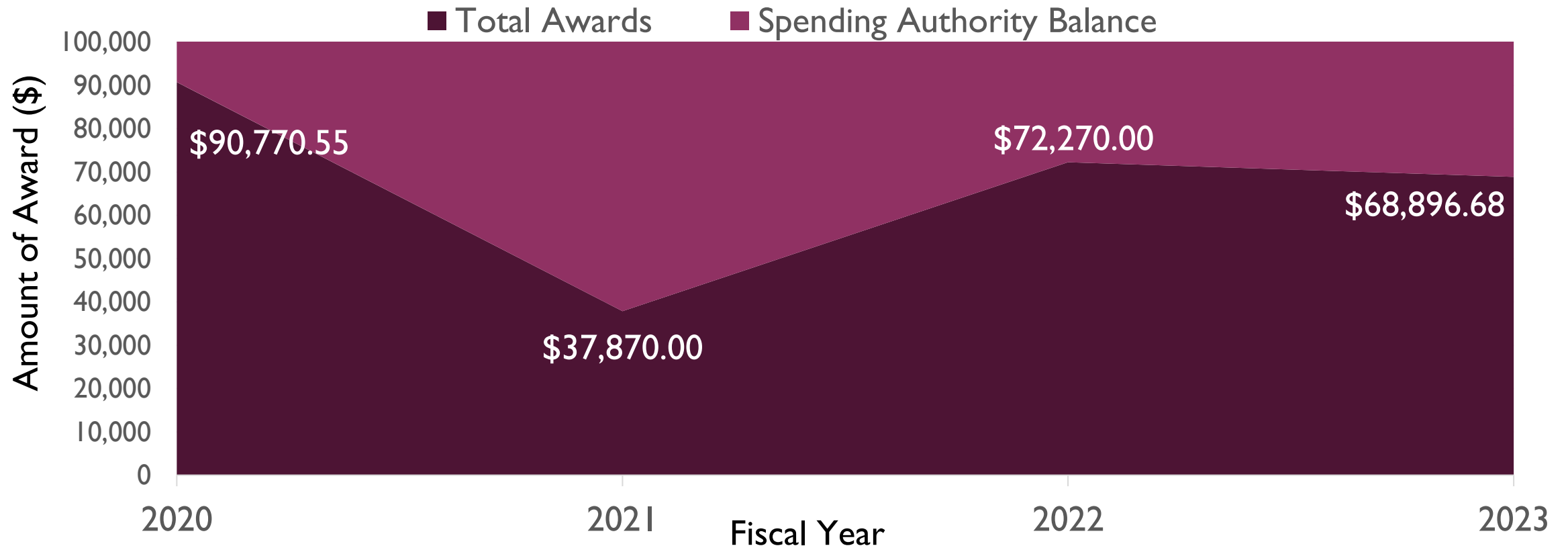
- Repair/reset tombstones/mausoleums/structures for burials
- Repair/replace fences, gates, railings, sidewalks in cemetery
- Tree service (removal or trimming)
- Purchase of cemetery maintenance equipment and shed to store cemetery equipment.
- One time clear out overgrown brush/trees in cemetery (not for general lawn maintenance)
- Cemetery road repairs
- Ground penetrating radar to find graves
- Cemetery signs with telephone number (for emergencies)

## NUMBER OF APPROVED AND DENIED APPLICATIONS BY YEAR, DELAWARE, FISCAL YEAR 2020-2023.



Source: Delaware Department of Health and Social Services, Division of Public Health, Delaware Cemetery Board.

## TOTAL AWARDS BY FISCAL YEAR, DELAWARE, 2020-2023.



Source: Delaware Department of Health and Social Services, Division of Public Health, Delaware Cemetery Board.



## OBJECTIVE #3

### REFERRAL OF COMPLAINTS

## REPORT THEFT OR VANDALISM

- Call local police where cemetery is located.

## REFERRAL FOR COMPLAINTS

- ❑ Call County Office where cemetery is located for code violations.
  - New Castle Code Enforcement 302-395-5555
  - Kent Inspections and Enforcement 302-744-2451 or 302-744-2455
  - Sussex Code Enforcement 302-855-7819
  
- ❑ Delaware Department of Justice, Consumer Protection Unit
  - Toll-free Hotline 800-220-5424 or 302-683-8800
  - Complaint Form (online) at [consumer.protection@delaware.gov](mailto:consumer.protection@delaware.gov)

## REFERRAL FOR COMPLAINTS

- ❑ Better Business Bureau
  - 302-221-5255
- ❑ International Cemetery, Cremation & Funeral Association (ICCFA), Consumer Service Council – Complaint Resolution Services
  - 703-391-8400
  - Toll-free 800-645-7700
- ❑ Funeral Consumers Alliance of Maryland and Environs (includes DE)
  - [info@mdfunerals.org](mailto:info@mdfunerals.org)
  - [mdfuneral.org](http://mdfuneral.org)

# RESPONSE TO THE STAFF FINDINGS AND RECOMMENDATIONS

- ❑ Recommendation #1 - DPH and the Board agree to continue the Delaware Distressed Cemetery Fund.
- ❑ Recommendation #2 - DPH and the Board agree to work together to revise the guidelines and promulgate regulations on how the Board determines eligibility and awards funds to applicants to ensure a uniform review and approval process of applications for DCF.
  - This will include reviewing the guidelines, registration, application, and supplemental application forms, and the application checklist.
  - The regulations shall include the required documents to help determine if a cemetery is distressed, a list of acceptable restoration projects, the calculation of the award amount, and match requirements.



## RESPONSE TO THE STAFF FINDINGS AND RECOMMENDATIONS

- ❑ Recommendation #3 - DPH and the Board agree to have the annual audit requirement adjusted to at least once every five years.
- ❑ Recommendation #4 - DPH and the Board agree to the release of the review upon enactment of legislation under Recommendation #2.



# THANK YOU!

The Board appreciates that the Sunset Committee recognizes the relevance of their work in meeting the needs of Delawareans and would like to thank the Legislature for continuing to appropriate funds toward their mission.

# NOTE!!!

- The following three slides will be used if anyone asks for sample calculations of the award and match.

## CALCULATION FOR MATCH REQUIREMENT – USING ONLY VOLUNTEER HOURS/EXPENSES

- Project Cost (based on lowest cost unless there is a valid reason) - \$15,000
- Award = Project Cost/1.5 = \$10,000
- Match = Award \* 0.5 = \$5,000
  - Match requirement met with documented value of volunteer hours and/or cemetery expenses paid for the last three years = \$5,000
- Actual award = \$15,000

## CALCULATION FOR MATCH REQUIREMENT – USING OWN FUNDS AND VOLUNTEER HOURS/EXPENSES

- Project Cost (based on lowest cost) - \$15,000
- Award = Project Cost/1.5 = \$10,000
- Match = Award \* 0.5 = \$5,000
  - Match requirement met with \$2,500 cash and \$2,500 value of volunteer hours and/or cemetery expenses paid for the last three years.
- Actual award = \$12,500

## CALCULATION FOR MATCH REQUIREMENT – USING OWN FUNDS AND CEMETERY EXPENSES PAID

- Project Cost (based on lowest cost) - \$15,000
- Award = Project Cost/1.5 = \$10,000
- Match = Award \* 0.5 = \$5,000
  - Match requirement met with \$1,000 cash and receipts for \$4,000 in cemetery expenses paid for the last three years.
- Actual award = \$14,000