

City of Waco Historic Cemeteries Maintenance & Management Plan

FIRST STREET CEMETERY
GREENWOOD CEMETERY
ROSEMOUND CEMETERY



March 10, 2020

Table of Contents:

Part 1: Introduction, Background, & Brief History
Purpose

Part 2: Key Restrictions & Governing Principles
Ground Disturbance
Modifications

Part 3: Cemetery Management Guidelines
Management of new burials
Management of visitors
Management of activities

Part 4: Cemetery Maintenance Guidelines
Grounds & Trees
Structures, Roads, Features
Facilities & Utilities
Archaeology & Monitoring

Part 5: Records, Resources, and Planning
Historical Records
Contemporary Data & Mapping
Public Involvement
Volunteers
Project Planning & Coordination

Appendices:

Appendix A:

First Street Cemetery Map and/or Special Conditions

Appendix B:

Greenwood Cemetery Map and/or Special Conditions

Appendix C:

Rosemound Cemetery Map and/or Special Conditions

I. Introduction

The City of Waco acquired land for its first public cemetery in 1852, along the banks of the Brazos River, near present-day I-35. As burial needs expanded with the city's population, several other public cemeteries were added at various locations throughout the community. Of these, three remain under the control of the City of Waco: First Street Cemetery (est. 1852), Greenwood Cemetery (est. 1875), and Rosemound Cemetery (est. 1917).

While First Street Cemetery and Greenwood Cemetery have restricted further burials, Rosemound Cemetery continues to offer burial spaces for sale. Since 2012, this operation has been managed on the city's behalf by the Oakwood Cemetery Association.

Each cemetery represents a cultural landscape rich with history, beauty, and significant meaning necessitating sensitive and thoughtful care. These care and maintenance responsibilities have evolved over time: Whereas common practice in the 1800s was for burial plot maintenance by individual family members, the mid-1900s saw increasing organization of cemetery associations to provide this care through the collection of dues paid by the families. Local governments have retained a role in providing a basic level of maintenance, and as cemeteries have aged this centralized management has become more vital to ensure all burial plots are afforded the same level of perpetual care.

The City of Waco Parks & Recreation Department is responsible for cemetery management and care. As such, it utilizes a combination of staff labor, maintenance contracts, management agreements, and capital improvement projects. The purpose of this document is to establish the necessary measures for proper maintenance and management.

II. Governing Principles & Restrictions

Protecting the dignity of human remains and the context of their cultural landscape is of primary importance within Waco's cemeteries. This comes with distinct challenges due to the incomplete historic and spatial record of burials within these sites. These challenges have become increasingly evident in recent years as development and improvement projects affecting cemeteries have been funded, but a number of valuable guidelines can be applied to meet or exceed regulatory requirements:

- A. Restrict all ground disturbing activities for any historic cemetery or historic portion a cemetery
 - Archaeologist consultation and agency coordination required
- B. Restrict projects or activities that may alter a historic cemetery or its contents
 - Archaeologist consultation and agency coordination required
 - Public and stakeholder participation required
- C. Utilize maintenance best practices that take care not to accelerate the deterioration of markers, structures, and landscape features
- D. Adopt staff monitoring and reporting protocols that address remains or funerary objects that may become uncovered through natural processes
 - Immediate notification to site staff (*if applicable*)
 - Immediate notification to Parks & Recreation Dept. Management
 - Management staff to document, secure, and contact Texas Historical Commission

III. Cemetery Management Guidelines

A. Management of new burials

- The sale of new burial lots shall only be permitted within Rosemound Cemetery. This operation is currently managed on the City of Waco's Behalf by the Oakwood Cemetery Association
- New burials shall comply with all applicable laws and ordinances
- New burials shall only be permitted where appropriate documentation can be provided to ensure existing burials are not disturbed. In the case of Greenwood Cemetery, documentation must be submitted to the City Secretary's Office.

B. Management of visitation

- Cemeteries shall be open and available to the public for visitation 7 days a week
- Gated cemeteries shall post hours, and be open from 8am to sundown
- Parking shall be limited to paved areas only

C. Management of activities/public events

- Public placement of flowers and other memorial objects shall be allowed to remain in place for at least 7 days, and not greater than one month, after which they will be removed from the cemetery through the course of regular maintenance
- Public placement of flags or memorial objects honoring numerous burials, such as those of veterans, shall obtain prior approval by contacting the Parks Department or its representative to ensure provisions are in place for the recollection of the flags or objects within 7 days.
- Public placement of permanent markers or objects, shall require pre-approval through the Parks & Recreation Department or its representative, to assure public safety and ensure compliance with applicable rules and restrictions
- Public gatherings other than funeral services shall require an activity permit submitted through the Parks & Recreation Department

IV. Cemetery Maintenance Guidelines

A. Grounds and Trees

1. Landscape & Vegetation

Vegetation maintenance (such as mowing) must be done carefully within each cemetery. Parts of any cemetery have marker stones or fencing which can be damaged by contact with mowers or string trimmers or by contact with debris thrown up by the mower or trimmer. Pesticides, herbicides, and fertilizers should be used with caution near headstones as the chemicals can react with and damage the marker stones.

2. Trees

Preservation, care, and maintenance of trees are paramount to maintain the integrity of the cemeteries. Adequate tree maintenance requires strategies for preservation, removal, re-planting, and developing horticultural practices for proper nutrition and growth.

Maintain historic trees unless they are dead, dying, diseased and untreatable, or pose a high risk to people and infrastructure. When dealing with a historic tree—one that is significant in its own right or as a component of a larger historic vegetation pattern—explore all options for addressing risk before taking the most radical course. Make every reasonable effort to first treat or stabilize a historic tree that is diseased or damaged prior to considering removal, when appropriate, and if allocation of resources permits such a course of action. Stabilization can include simple solutions such as propping up a low-hanging limb or anchoring it in place with cables. Removing large, dead branches and cabling weak branch attachments may adequately reduce the risk of falling limbs.

Prune trees at maturity within or adjacent to graves only as necessary to remove dead, broken, or diseased wood and to allow for pedestrian and vehicular passage. If there is an alternative way to pass by the tree that does not require pruning, do not prune. Prior to pruning, erect plywood structures over markers to protect them from damage where necessary and when appropriate.

Inspect the cemetery after inclement or windy weather, looking for tree damage that would necessitate pruning or stabilizing. Depending on the allocation of resources to Parks, regular inspections may depend on volunteers.

3. Trash/Litter collection

Debris, paper, and other trash shall be collected on a regular basis as needed.

B. Structures, Roads, and Features

1. Gravestones, Structures, and Fenced Plots

Cemeteries contain a number of gravestones and fenced plots. Unmarked graves sites throughout historic cemeteries are also likely. Older gravesites often settle over time, and can become depressed. This appearance can detract from the visual condition of the cemetery, as well as present a potential trip hazard.

Where a gravesite is found to be in poor condition, particularly when public hazards exist, the least disruptive remedial action will be taken to address the condition. In some cases that may require adding clean fill to the gravesite, or the straightening of large gravestones. Care shall be taken to avoid further damage to the gravestones and the fences around plots.

If minor repairs are to be attempted to cemetery features, they shall be led by Parks & Recreation Department staff in adherence with the Texas Historical Commission's guidance on "Maintenance, Conservation, and Repair" (<https://www.thc.texas.gov/preserve/projects-and-programs/cemetery-preservation/maintenance-conservation-and-repair>), which is tailored to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. In some cases it will be better to leave a broken gravestone lying where it fell rather than trying to set it back in place.

Large-scale, or major repairs shall be coordinated through the Parks & Recreation Department and require consultation with the Texas Historical Commission. Public involvement and the use of other appropriate professionals shall be engaged to ensure regulatory compliance and that appropriate methods are utilized. Stand-alone sheds, pavilions, or support structures will most typically fall into this category, and shall not be modified, removed, or improved without Texas Historical Commission consultation

2. Roads and Circulation Paths

Circulation within cemeteries is a key component of public access and the historical context of a burial. Primary routes are typically fully paved street sections, and secondary routes are accomplished with narrower paved areas, gravel roads, or unimproved paths. Repair and maintenance of cemetery roads within historic cemeteries shall be planned in consultation with the Texas Historical Commission.

C. Facilities and Utilities

Several of Waco's historic cemeteries have active and/or staffed facilities, utilities, and drainage easements within the cemetery. Care of these features fall to the Facilities Department, Utilities Department, and Public Works Department respectively, but are subject to the same restrictions regarding ground disturbance and Texas Historical Commission coordination. Staff protocol will include notification to the Parks & Recreation Department and Legal Department in the planning stages of any proposed work, or upon discovery of need for emergency repairs.

D. Monitoring

Staff performing any maintenance or other work in the cemetery area should be observant of possible ground disturbances (by human activities or

animals) and other issues. Additionally, on an annual basis each spring, City staff shall make a site assessment of the areas for disturbances to graves and the markers, animal burrowing, sunken grave shafts, erosion, vandalism, etc.

V. Records, Resources, and Planning

A. Historical Records

All historical records shall be furnished to the Waco-McLennan County Library Genealogy Center as the official repository of this archive.

B. Contemporary Data & Mapping

As new data, mapping or information is produced through the course of development, improvements, survey, or volunteer efforts, copies will be provided to the Waco-McLennan County Library Genealogy Center.

The Parks and Recreation Department endeavors to make these resources available through the Genealogy Center to support volunteer efforts to produce more complete headstone maps and burial databases.

C. Project Planning & Coordination

Projects that involve potential effects or modifications of historic cemeteries shall be planned in consultation with the Legal Department, Parks & Recreation Department, and Texas Historical Commission. Archeological permitting, testing, and monitoring are typical components of this coordination.

D. Public Involvement

Public and stakeholder input is vital to the sensitive stewardship of Waco's historic cemeteries. Undertakings beyond minor repair or maintenance require opportunities for public input, and will be facilitated by the Parks & Recreation Department.

E. Volunteers

Volunteer organizations shall contact the Parks & Recreation Department for coordination and prior approval. A work plan shall be defined that addresses specific work to be done and methodology, to determine if staff supervision or training are required, and to ensure compliance with all regulations and best-practices.

APPENDIX A – FIRST STREET CEMETERY MAP & SPECIAL CONDITIONS



106 Texas Ranger Trail, Waco, TX 76706

APPENDIX A – FIRST STREET CEMETERY MAP & SPECIAL CONDITIONS (CONTINUED)

First Street Cemetery is the oldest cemetery in City of Waco. The burials began in 1852 and proceeded into the 20th Century. For much of that time, the cemetery was neglected. In the late 1960's, a recreational vehicle park was constructed in the lower part of the cemetery after some human remains were moved and all of the remaining headstones in that area were moved to the upper terrace. The Texas Ranger Hall of Fame and Museum (Museum) and a Visitor's Information Center (Visitor's Center) were constructed beginning in 1968, partly in an area that had been part of the cemetery and partly in an area that had been owned by a railroad since the late 1800's. The area of the Museum and the recreational vehicle park was referred to as Fort Fisher Park.

During the construction of the Texas Ranger Company "F" Headquarters and the Education Center in 2007, the existence of the cemetery in the lower terrace area was "rediscovered." It was also discovered that restrictions placed on the land through the use of a Land and Water Conservation Fund (L&WCF) grant to build the recreation vehicle park had never been removed in that area.

To remove the L&WCF restrictions, the Waco City Council authorized the City Manager to execute a Memorandum of Agreement (MOA) with the National Park Service, Texas Historical Commission (THC), and Advisory Council on Historic Preservation (ACHP) that provided for the mitigation of adverse impacts to historical property and to remove the land use restrictions. As required by the MOA, Resolution No. 2010-689 was approved on December 7, 2010, to rededicate an area as a cemetery. The City of Waco also applied and received designation as a Texas Historic Cemetery for a designated area and designation as a State Archaeological Landmark for a larger area.

During the work in Fort Fisher Park in 2007 and 2008, it was discovered that deposits of trash had been buried along the river front in the late 1800's and early 1900's. Much of landfill area is now covered by an access road that runs parallel to the Brazos River toward Baylor Law School as well as parts of the Riverwalk. The City worked with the Texas Commission on Environmental Quality (TCEQ) to address the issue of the landfill area. An Affidavit to the Public was filed in the McLennan County Public Records to show where the landfill area is located.

Attachment A is a map showing the various areas that have designated as a cemetery, state archaeological landmark, and landfill.

Controlling Principles

As a burial ground, First Street Cemetery contains human remains (many of which are in unmarked gravesites) and funerary objects. First Street Cemetery is to be treated in a respectful and sensitive manner.

In addition to the MOA, the Texas Antiquities Act (found in Chapter 191 of the Texas Natural resource Code) and provisions of the Texas Health and Safety Code found in Chapters 711, 712, and 713 may affect actions related to First Street Cemetery.

Activities associated with archeological features will be carried out by or under the direct supervision of a person or persons meeting, at a minimum, the Professional Qualifications Standards set forth in the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (48 FR 44716) [required under MOA].

Any ground disturbance deeper than 6 inches will **not** occur without first consulting with the Texas Historical Commission. This requires submission of a description of the work that explains the need for the ground disturbance and a plan to mitigate any adverse impact resulting from the ground disturbance. By law, THC will be entitled to at least 30 days to review the submission.

Areas that were previously archaeologically cleared in consultation with Texas Historical Commission may be disturbed. The work may proceed with caution only after the dimensions of area previously cleared are properly identified. Disturbances of less than six (6) inches do not require prior consultation with THC, but shall only proceed with caution.

Whenever something is observed or found (whether an inadvertent discovery by City staff or reported by a site visitor or resulting from some activity in the cemetery), the following protocol shall be followed:

1. If the discovery is the result of some ground disturbing activity, that activity shall cease immediately.
2. Notice of the discovery shall be given to staff in the Parks & Recreation Department (Parks) and the Museum (front desk or Armstrong Research Center).
3. City staff shall check the site to determine what, if anything, has been discovered and to secure any discovery from further disturbance or vandalism.
4. Depending on the nature of the discovery, City staff shall immediately notify local law enforcement officials if a criminal offense has occurred.
5. Depending on the nature of the discovery (such as bones or objects on the surface of the ground), Museum staff may collect the discovery to be secured in the Museum in a respectful and appropriate manner. If there is any question about whether to collect or secure the discovery, Museum staff should contact THC.
6. Within 48 hours of the discovery, City staff shall initiate consultation with the THC to develop a plan for resolving the adverse effects.
7. The plan shall follow the ACHP's "Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects," as well as the sections of the Texas Health and Safety Code that pertain to abandoned cemeteries and graves.
8. Whenever human remains or funerary objects are disinterred, the remains and objects shall be re-interred at Rosemound Cemetery. Articulated remains shall initially be stored in a respectful and appropriate manner within the Texas Ranger Museum and then be re-interred a reasonable time after discovery in compliance with the Controlling Principles stated above. Disarticulated remains and funerary objects shall be secured in a respectful and appropriate manner

within the Texas Ranger Museum and periodically reburied in compliance with the Controlling Principles.

Fences, Wall and Gates

Barriers have been erected around the cemetery to control vehicular traffic and prevent parking in the cemetery. While the Texas Ranger HQ Building for Company “F” and the Education Center are surrounded by the cemetery, vehicular traffic and temporary parking near the building is limited to authorized persons.

Access to the buildings is necessary for firefighting purposes and possibly emergency medical purposes. A gate to the roadway will be secured with a [keyed or combination] lock. Only certain authorized personnel will be provided the [key / combination]. Persons performing maintenance to the grounds, utilities, and the buildings will also be permitted access to the cemetery through the gates as needed.

A wrought iron fence on the concrete footing was placed around a portion of the cemetery in about 1968. The fence is along University Parks Drive, which makes it vulnerable to motor vehicles that go over the curb. There are several gates on the wrought iron fence. Given the age of the wrought iron fence, periodic inspections are needed. Repairs should be made within a reasonable time of detection, which will vary depending on the repair needed and what, if any, safety hazard is posed by the problem.

The rock wall was constructed around a portion of the cemetery in 2013 so that the entire cemetery would have a surrounding fence. Pedestrian access ways are provided at a number of spots in the rock wall. There are also a number of opening that relate to drainage needs or utility lines. There are also locking gates in that wall. The wall should be periodically inspected for any problems. Since the wall protects the lower terrace of the cemetery where the graves are unmarked, any breaches to the wall that would allow vehicles to enter and/or park in the cemetery should be repaired as soon as possible.

The gates in the rock wall are secured with locks. A limited number of persons will be provided the key/combination to the locks. When using the gate to enter the cemetery, the person shall secure the gate after entering or leaving to prevent other persons from accessing the cemetery.

Utilities in First Street Cemetery

There are a number of underground utility lines (water, wastewater, electricity, and natural gas) in First Street Cemetery. Repair and maintenance activity that will not require a ground disturbance of more than 6 inches or which is in an area archaeologically cleared previously and currently marked to show the cleared area may be conducted as stated in the Controlling Principles without consultation with THC. For routine repair and maintenance work that will involve a ground disturbance of more than 6 inches, consultation with THC is required. That consultation requires a submission describing the scope of work to THC at least 30 days in advance.

If emergency repairs to utility lines within First Street Cemetery are necessary to preserve and protect public health and safety, those repairs may be made immediately. THC

shall be notified as soon as possible so that consultation may occur regarding any mitigation work that may be needed.

Roadways, Parking Lots & Structures

Within the Texas Historic Cemetery area and the State Archaeological Landmark area there are a number of roadways, parking areas and structures. With regard to the roadways and parking areas within in the cemetery or State Archaeological Landmark (SLA) area, the City will consult with THC prior to any repair work to determine what, if any, testing and monitoring is needed for the repair project.

A portion of the roadway and park area that runs parallel to the Brazos River toward Baylor Law School is over a closed municipal landfill. Before the surface of that area may be disturbed, rules approved by the TCEQ [30 TAC Chapter 330] require that certain submissions be made.

With regard to the structures in the cemetery and SAL area, the City will consult with THC prior to any construction activities to determine what, if any, testing and monitoring is needed. "Construction activities" shall include any addition to or expansion of an existing building and the construction of a new structure. Maintenance to the exterior of an existing structure will not be included unless the work will involve ground disturbance.

Responsibility for Implementation

The City of Waco Parks and Recreation Department (Parks) is responsible for the maintenance of the grounds of First Street Cemetery as well as the other grounds in Fort Fisher Park. Consequently, that means Parks has responsibility for maintenance of the landscape and vegetation and trash and litter collection. That also places Parks staff in the primary position of monitoring the site the cemetery and SAL area for ground disturbances as well as damage to any of the gravestones, barriers, gates, roadway surfaces, and parking areas. Parks staff will be responsible for periodic inspection and monitoring of the grounds.

With regard to the structures and roadways, the Facilities Department (Facilities) has the primary responsibility for addressing maintenance and repair. If issues arise regarding either electrical service or gas service, Facilities will generally have the primary responsibility. If issues arise related to the water or wastewater lines that services the structures, Facilities has the primary responsibility for addressing those issues.

In addition to the water and wastewater lines that service the structures, there is a 48 inch wastewater collection line that crosses the cemetery. Any repairs or maintenance on that line are the responsibility of the Utilities Department, either directly or through a private contractor.

As the City office closest to the cemetery, the Visitor's Center has had visitors inform that staff of issues in the cemetery, such as a sunken gravesite. Staff at the Visitor's Center should notify Parks whenever a report is received so that Parks staff can inspect to determine if any action is necessary to address a safety hazard or other issue.

If remains or funerary objects are found in the cemetery by a member of the public or by a person involved in no ground disturbing activities, Parks staff and Museum staff shall be

notified. If the materials have already been picked up and brought to the Visitor's Center or Museum, Museum staff will take possession of the materials and shall secure the materials in a respectful and appropriate manner until the materials can be re-interred. If the materials have not been collected, Museum staff will inspect the site to determine whether to collect the materials for storage in the Museum or to secure the site prior to contacting THC to determine a plan for resolving adverse effects.

Prior to any ground disturbing activities, City staff should consult with the City Attorney's Office to determine what, if any, submission are needed to a state agency. Ground disturbing activities in the cemetery or SAL area will generally require consultation with THC and may require retaining the services of an archaeologist. Disturbance of the ground surface in the area delineated as a landfill will require a submission to TCEQ by an independent engineer retained by the City to evaluate the proposed activity under TCEQ regulations.

APPENDIX B – GREENWOOD CEMETERY MAP & SPECIAL CONDITIONS (CONTINUED)

Greenwood Cemetery is the second oldest cemetery in Waco, with an initial purchase of land by the City of Waco dating back to at least 1875. Since that time numerous entities acquired land for burial purposes in the direct vicinity, creating a patchwork of ownership with land totaling approximately 18 acres, collectively known as Greenwood Cemetery.

In recognition that comprehensive plot ownership and burial records for Greenwood Cemetery are unavailable, and likely lost to history, the City of Waco City Council passed Resolution No. 2007-594 on September 18, 2007 closing the majority of the cemetery to further burials except when the following requirement can be satisfied and submitted to the City Secretary's Office:

“That prior to a burial of an individual or individuals by any person or entity, other than the City of Waco, that person or entity must show proof of ownership of land located within that portion of Greenwood Cemetery, and then may only be authorized to bury an individual or individuals if there is sufficient space to do so.”

In 2007, and again in 2014, the City of Waco Parks and Recreation Department became increasingly involved with maintenance operations for the entire cemetery, as agreements were reached with several of the previously active cemetery associations.

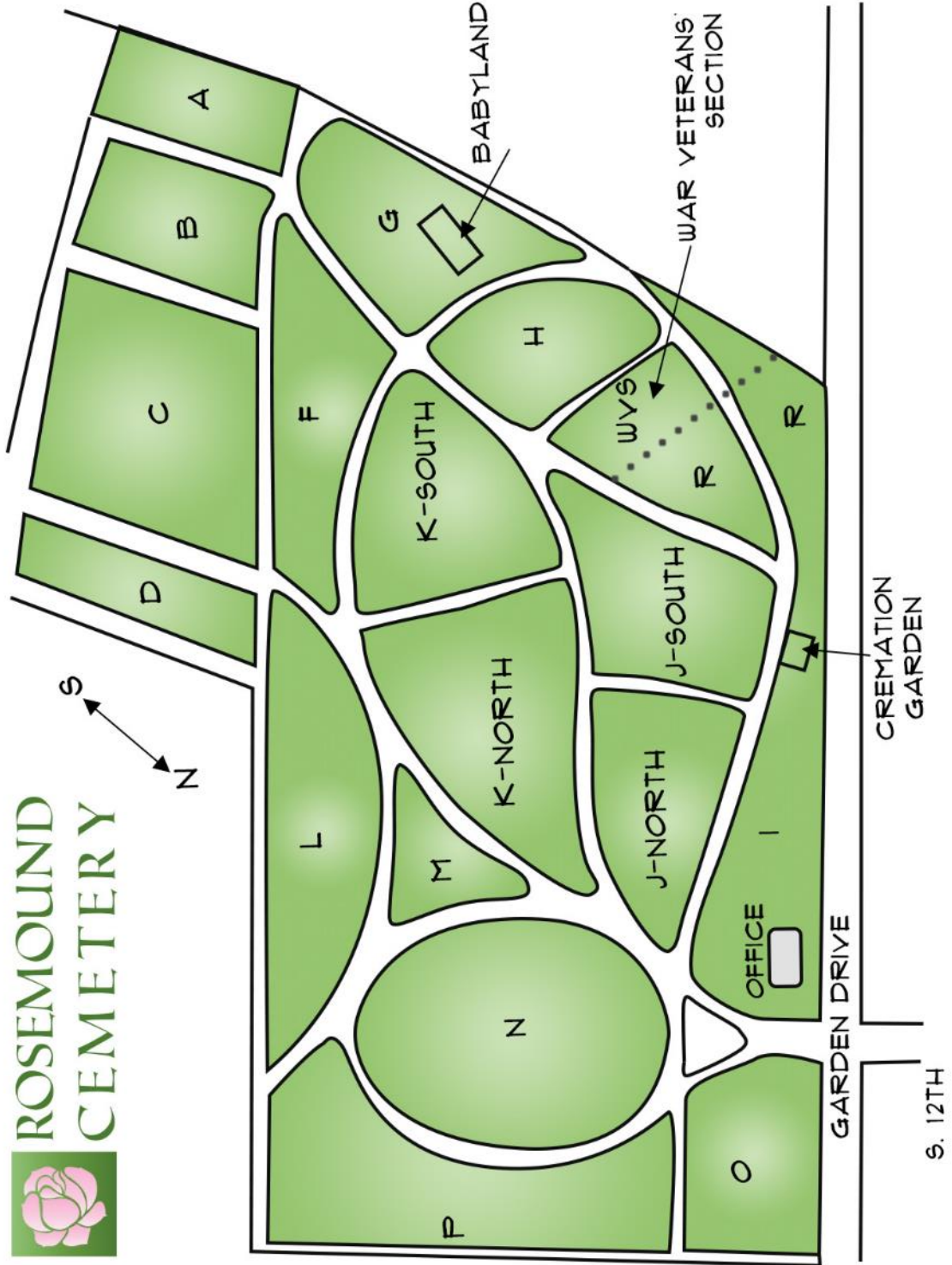
Starting in 2015, the City of Waco began an undertaking to consolidate the entire cemetery within a unified, single boundary to allow standardized perpetual care and better protect this community heritage site. This process has included numerous steps outlined below, with final perimeter construction anticipated to be complete in summer 2020:

- (2015 - 2020) THC Consultation
- (2016-2017) Boundary, Utility, and Headstone Survey w/ Title Search
- (2016-2018) Archaeology permitting and testing
- (2016-2018) Interior fence removal and monitoring
- (2017, 2019) Property Acquisition
- (2017-2018) Public engagement in the planning and design process
- (2018-2019) Engineering of project to provide ornamental fence, gates, and entrances
- (2019) Tree maintenance and brush trimming to clear cemetery boundary
- (2019-2020) Bidding and award of the “Greenwood Cemetery Improvement Project”
- (2020) Passage of “Declaration of Intent” resolutions to assert control and rights to maintain any portion of the cemetery
- (2020) Construction and Archaeological Monitoring

Since 2018, the Parks & Recreation Department has utilized grounds maintenance contracts to provide more frequent mowing, trimming, and trash pick-up.

Since 2019, several City of Waco Departments have provided data and technical support to the McLennan County Cemetery Interest Group in conjunction with their volunteer efforts to create spatial database of all headstone inscriptions.

APPENDIX C – ROSEMOUND CEMETERY MAP & SPECIAL CONDITIONS



3201 S 12th St, Waco, TX 76706

APPENDIX C – ROSEMOUND CEMETERY MAP & SPECIAL CONDITIONS
(CONTINUED)

Rosemound Cemetery began with a 200 acre land acquisition by the City of Waco in 1917 with initial plotting in 1923. Since that time, various portions of the land have been subdivided or sold off, and bear more localized names such as Hebrew Rest, Garden of Memories, and a veterans section.

Rosemound is an active cemetery, with the continued sale of plots and burials in the newest sections D & C. It is managed on behalf of the City of Waco by the Oakwood Cemetery Association. Details are available at the cemetery website: <http://rosemoundwaco.com/>