



# Clark County Historic Preservation Commission

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## DECISION OF THE CLARK COUNTY HISTORIC PRESERVATION COMMISSION

TO: Jefferson Davis Park, Owner and Interested Parties

FROM: Robert Hinds, Chair  
Clark County Historic Preservation Commission

DATE: November 1, 2017

FILE: **HST 2017-00004 Jefferson Davis Highway Marker:** Removal from Clark County Heritage Register  
Pursuant to CCC 40.250.030.

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### NOTICE TO PARTIES OF RECORD

**CASE No. HST 2017-00004, Jefferson Davis Highway Marker review of removal from Clark County Heritage Register – Jefferson Davis Park, Owner**

The attached decision of the Clark County Historic Preservation Commission will become final and conclusive unless a written appeal therefrom is filed with the Clark County Superior Court Vancouver, Washington, no later than 5:00 p.m. on **Nov. 15, 2017 (14 calendar days** after written notice of the decision is mailed). Review will be by Certiorari pursuant to RCW 7.16.030 *et seq.*

All appeals must be written and must contain the case number designated by the County and the name of the applicant; the name and signature of each petitioner for the appeal and a statement showing that each petitioner is entitled to file the appeal as an interested party, the specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error.

The case file is available for review at 1300 Franklin Street, Vancouver, WA between 8:00 am and 5:00 PM M-F. Contact **Jacqui Kamp, (360) 397-2280, ext. 4913.**  
Emailed and/or mailed on: **Nov. 1, 2017**

**EXHIBIT I**

**PARTIES OF RECORD**

Oct. 3, 2017 Public Hearing

Jefferson Davis Park, Owner  
C/O Jay D. Willis  
23215 NE 72<sup>nd</sup> Ave., Battle Ground, WA 98604

**OTHER INTERESTED PARTIES**

See attached sign in sheet

**BEFORE THE HISTORIC PRESERVATION COMMISSION  
OF CLARK COUNTY, WASHINGTON**

**HST 2017-00004 – Jefferson Davis Highway Marker  
24024 NW Maplecrest Dr., Ridgefield, Washington  
Review of removal from Clark County Heritage Register**

Regarding a review by the Clark County Historic Preservation Commission on the consideration of the removal of the Jefferson Davis Highway Marker from the Clark County Heritage Register, located at 24024 NW Maplecrest Dr., Ridgefield, Washington. (Assessor Parcel #215362000)

**I. SUMMARY**

1. The Jefferson Davis National Highway Marker, currently located at 24024 NW Maplecrest Rd (Parcel No. 215362000) was nominated by the United Daughters of the Confederacy and listed on the Clark County Heritage Register by the Clark County Historic Preservation Commission in 2002. At that time, it was located at the Clark County Historical Museum on Main Street in Vancouver, WA.

In 2007, the marker was moved from the museum grounds to its current location on private property fronting the southbound lanes of Interstate 5 near Ridgefield. The relocation of the marker required review by the Clark County Historic Preservation Commission. On Dec. 11, 2007, the commission voted to keep the marker on the register and approve the Certificate of Appropriateness.

In the wake of violence after an Aug. 12 rally in Charlottesville, Virginia, Clark County received several comments and questions about the Jefferson Davis Highway Marker listed on the Clark County Historic Register. The comments include requests that the marker be removed from the website and heritage register. Since the Clark County Heritage Register is maintained by the Clark County Historic Preservation Commission, those comments were forwarded on to them and were discussed at their monthly meeting on Tues., Sept. 5. At the Sept. 5 meeting, the commission voted to schedule a public hearing to consider removing the Jefferson Davis Highway Marker from the register.

1. Comprehensive Plan/ Zoning Designations: Industrial/BP (Urban Holding-20 Overlay), Clark County
2. On October 3, 2017, at a duly advertised public hearing, the Clark County Historic Preservation Commission voted (6-0) to remove the Jefferson Davis Highway Marker from the Clark County Heritage Register.

**II. HEARING AND RECORD**

- 1) The Clark County Historic Preservation Commission received testimony at the public hearing on this matter on October 3, 2017. A record of that testimony is included herein as Exhibit I

(Parties of Record) and Exhibit II (Recorded Proceedings). These exhibits are filed at the Clark County Department of Community Planning, 1300 Franklin St., Vancouver, WA.

- 2) At the hearing, Jacqui Kamp, County Planner III, provided the Clark County Department of Community Planning Staff Report to the Historic Preservation Commission dated Sept. 20, 2017. The staff report, pictures of the site, previous case files, the nomination, information about the Jefferson Davis Highway from the Federal Highway Administration and comments received are attached as exhibits. (Exhibit III)
  - a. Kamp corrected the information in the staff report regarding the flags that are flying at the site. There are three flags, one confederate flag, a first national confederate flag and a Bonny Blue flag.
  - b. Kamp also provided the information from Clark County Code 40.250.030(F)(4)(b), "In the event that any property is no longer deemed appropriate for designation to the Clark County Heritage Register, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation.
  - c. Kamp provided information on appeals of HPC decision to be forwarded to the Clark County Hearings Examiner per Clark County Code 2.51. (Please note that this is incorrect as appeals are to Superior Court – see page 1 of this document)
  
- 3) Commissioner Robert Hinds, Chair, asked Chris Cook, Deputy Prosecuting Attorney to review the criteria required for the commission's review of this case.
  - a) Cook stated the criteria: Any building, structure, site, object or district may be designated for inclusion in the CCHR if it is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the community; if it has integrity of location, design, setting, materials, workmanship, feeling and association; is at least fifty (50) years old, or is of lesser age and has exceptional importance. The property(ies) must meet the above as well as fall into at least one (1) of the additional categories. The decision must be based on the criteria and the findings will be based on the criteria.
  - b) Cook explained if while reviewing the criteria it may be difficult to make a yes or no determination and that it can be helpful to look at the purpose statement in 40.250.030(A). It can't be substituted for the criteria, but it can help with understanding the criteria.
  - c) Cook explained that the marker is an object, not a property. The Jefferson Davis Park is the name of the park. It is not a public park; it is not maintained by the county or supported by the county except that it is listed on the register.
  - d) The commission must make the decision based on the criteria.
  - e) Commissioner Rob Heaney clarified that the commission is to review the nomination on its merit and that they may find error with a previous commission's decision.
  - f) Commissioner Mark Pelletier stated that there is a question floating in the community that the status of the marker on the register could provide funding options. Cook explained that this is an object, not real property. If there were real property taxes associated with it that would be different. It is not real property, therefore cannot have any tax abatement associated with it.
  
- 4) Questions for staff:

- a) Commissioner Hinds asked Kamp questions regarding the 2002 nomination. Kamp explained that there was nothing more in the file that showed an amended nomination. Normal procedure is to have the nomination form signed when approved and that was not found either.
  - b) Commissioner Alex Gall asked if we had the text written out from the plaque at the marker that provides information about the United Daughters of the Confederacy. Kamp stated that all we had was the photograph. The plaque was part of the condition of approval for the 2007 Certificate of Appropriateness for the relocation of the marker.
- 5) The Chair invited the public to provide testimony.
  - 6) The Clark County Historic Preservation Commission voted (6-0), to remove the Jefferson Davis Highway Marker from the Clark County Heritage Register.

## II. TESTIMONY

- 1) Jay Willis spoke about the history of Jefferson Davis. (Written testimony submitted)
- 2) David Spigolon, a resident of Clark County since 2003, stated he was opposed to removing the marker from the register. He stated that the United Daughters of the Confederacy has nothing to do with hate groups. The marker has been in Clark County for a long time. He believes the work of the UDC for the Jefferson Davis project makes the marker significant to be on the register.
- 3) Gary Clark spoke that the marker has been around since 1929. He peruses the teaching of teachers and challenging PhD's on lies. He spoke about Jefferson Davis and secession of the south from the north. He asked for people to read Johnson's address.
- 4) Father John Sigmon corrected staff on the types of flags that are flying at the park. The flags include the first national flag of the confederacy, the last national flag of the confederacy and the Bonny Blue confederate flag. He is the division commander for the State for the Pacific Northwest Division of the Sons of the Confederacy. He stated that the Sons of the Confederate Veterans owns and maintains the park. Jefferson Davis was three things, a military man, a senator and the president of the Confederate States of America. He served with honor and distinction. Leaving that name on the register doesn't mean you approve or disapprove; you are just leaving it on the register. Slavery keeps being brought up. Davis owned 75 slaves on his plantation and he raised young black boys but you don't hear about that. He talked about monuments in Washington, D.C. that are for Washington and Jefferson who also owned slaves so will those come down too.
- 5) Rick Leaumont spoke in favor of keeping the monument on the historic register and meets the criteria. It is 50 years old, it's significant, the architecture is not like markers that are made today, and it is like the types of the 30s. Jefferson Davis has ties to the Northwest as mentioned earlier. He authorized the construction of the military roads here. This is significant to Clark County and the state of Washington. He is a significant individual for the country and the state. He helped found the Smithsonian Institute, the U.S. Water Service. He is one of the best Secretary of War that we've ever had and is comparable to the Secretary of Defense.
- 6) Chris Brumbles stated he was here to speak up against the political correctness that is hurting our country to the core. After Charlottesville, antifa vandalized the memorials with red and black tar substance and it came all the way to you. They are trying to manipulate you and making you do what you are considering doing today. They hate everything about this country and want to destroy it from within. First amendment is to protect unpopular speech

and protect the minority from the majority. The commission thought it was a good idea to place it on the register and asked what has changed except for some complaints.

- 7) Jim Hoffman stated he does not live in Washington but has a connection to Washington through his family settled in Washington. He spoke on Isis and Syria and how they destroyed monuments to forget history and is that is what we are doing here. The marker should stay on the register and not forget about our history and heritage.
- 8) Doug Wilson, from Vancouver and a professional archaeologist and served on the HPC for 6 years. To assess the marker and whether it should remain on register, two criteria should be addressed in its original 2002 nomination should be addressed. First is integrity. Does it in its current location reflect integrity of location, design, setting, materials, workmanship, feeling and association? Moving of the marker its original location adjacent to Highway 99 significantly diminished its integrity. The movement to its current location along I-5 further diminished its integrity as it was placed along a different highway. The introduction of the other Jefferson Davis Highway monument from Pace Arch Park and the addition of flags, including Confederate flags are not fitting with the original design of the monument and detract from its setting, feeling and association. Second, the monument must be evaluated in the full context of its placement in 1939. The statement of significance from 2002 is woefully incomplete. Davis did have an important role in administering the railroad surveys in the 1850s and other events. However, it is the larger role of the United Daughters of the Confederacy as a woman's movement in the United States and its role in the rejuvenation and support to the lost cause in the Jim Crow era that is largely missing. I recommend that the commission remove the monument from the register until the nomination is amended to fully explore the context of the placement of the marker and its ties and evaluated for its loss of integrity. The story of racism in the county should be further explored by our local institutions of history, including this commission, to delve more deeply into how the context of this monument is tied to an ideology.
- 9) Bridgette Fahnbulleh, asked to please declassify the confederate monument in Ridgefield. When a thought of war comes, there needs to be thoughts of peace. Thoughts ask the commission to not only delist but replace it with a new historic site that stands for love, reason and diversity. This site we recommend being the Community AME Zion Church on E. 13<sup>th</sup> St. During WWII, the city of Vancouver built 3 community centers. One was named Harmony Fields Center, belongs to the largest, most open, African American Church, the African Methodist Church. The church bought it from Vancouver and has grown significantly. This would be a great replacement for the Jefferson Davis site. The community centers worked for children, all children. This is our pride, our history, our integrity.
- 10) Rory Bowman, 5<sup>th</sup> generation Washingtonian. His 5<sup>th</sup> grade teacher explained that the marker was placed where it was because the city did not want it. The UDC there is no indication that they ever met at the Covington House. The location is lost entirely. It has nothing to do with general US history. It has moved so many times. The historical society didn't want it, the city didn't want it and Clark County doesn't want it.
- 11) Sue Marshall, Ridgefield, here on behalf of Friends of Clark County. We support the removal of the Jefferson Davis Highway Marker from the Clark County Heritage Register. This marker is offensive as a representation of the subjugation of a race of people and the fight to preserve slavery – a fight that was lost but its racist underpinnings manage to persist and periodically flare up in the form of white nationalism. Public acknowledgement of these racist symbols, under the guise of historic preservation, undermines our community. It points out that some are still less valued than others. Having been removed from its original site on the southern end of Highway 99 the marker has bounced around to several locations in the county. The website says the monument itself is not significantly to Clark County nor Jefferson Davis, but it was the grassroots efforts of the UDC. It commemorates the Jim Crow era organizing efforts in support of white nationalism. We recognize that this marker is on private property and you have no authority to remove it.

- 12) Matthew Philbrook, significantly associated with history, architecture, integrity... The only significance it has is with the confederate president wanted to fight to maintain slavery and colonization. The historic register should be reserved to remind us how we can work together and love. Slavery and racism has not ended in our country and we need to send a message that we do not glorify slavery and racism.
- 13) Aaron Roussell, Sociology professor at PSU. From Richmond, VA, the capital of the confederacy. Grew up blocks away from Robert E. Lee Elementary School, not to mention statues of Stonewall Jackson, Lee and Jefferson Davis. Start off with the obvious metaphor of post-World War II Germany. It is both useful and a flawed comparison. It is useful to understand that Nazis are not celebrated in Germany and their symbology is banned. Holocaust denial is a crime. I'm not suggesting that Holocaust denial does not occur in Germany. What I am suggesting is that the German people have made a firm cultural decision that this is a part of their past that they regret and have taken steps to rectify it. There's a national memorial to the Murdered Jews of Europe. Contrast that with the US where slavery denial is practically a pastime. Let's contrast this with the US where slavery denial is practically pastime. Growing up in the South, I was taught about the War of Northern Aggression and that slavery was irrelevant to the war. These are lies, plain and simple. Slavery was the basis for their entire economic system and Southern constitutions talk all about it. It's the reason they fought the entire war. What I think is poorly understood, except by those who have read DuBois is that the Confederates knew they were losing. They also knew they had an untapped resource – 2 million potential Black soldiers. They debated it. We might be able to salvage this war, said some. The men in the Confederate legislature knew that arming enslaved people meant the end of slavery. That is why the Nazi regime is a bad metaphor. Like the South, the Nazis lost the war. But after Reconstruction, the Confederates took right back over again. They were the first to oppose Brown and they were the first to oppose the Civil Rights Movement. And the first thing they did was start revising history with monuments and statues to their failed Rebellion, to fondly remember those days when they could legally own the people who now demanded their rights as human beings. Let's teach history, not revise it in the way that defeated traitors want us to. And if we must have memorials and monuments, let's put them up for the victims of atrocity, not the ones who committed crimes against humanity as a matter of policy.
- 14) Tina Burdsall, on behalf of Southwest Washington Emergency Response Network Against Hate. We are a committed group of people who have organized in Southwest Washington to mobilize responses to acts of hate. We express our strong support of de-listing the Jefferson Davis Park on the Clark County Historic Registry. According to the Historic Sites website: "This highway's coast-to-coast designation is an important early project accomplished by an American women's organization" but reputable scholars and historic websites do not include this as an important accomplishment in Washington during that time. This particular item does not have an adequate educational nor historically significant reason to be included in the register nor for the owners of the land to receive the tax incentives that come from listing. It is important to consider when the marble slab was erected in order to contextualize the creation of the memorial. IT was erected on June 18, 1938, 73 years after the Civil War ended and during a decade of rising backlash towards immigrants and minorities. This memorial, rather than celebrating the victory of the highway, was a means of institutionalizing and reifying a racist ideology that had officially lost almost three quarters of a century before. As homeowners, renters, and tax-paying residents in Clark County, we do not support the message that this memorial on the historic sites sends.
- 15) Mike Ellison, Jefferson Davis Park with its large confederate flags and highway marker is a symbol of bigotry and racial hatred to others and myself. The confederate flags represent

going to war for to maintain brutal and immoral systematic slavery. Jefferson Davis Park make some of my neighbors feel less welcome and safe in our community and that is unacceptable. I support taking the small step of removing the Jefferson Davis marker off the register. The integrity comments, should question the proximity of that marker as a memorial to the confederacy. I don't see any significant associative with our cultural heritage.

- 16) Howard Rubenstein, speak to the monument, specifically to the location, design, setting, materials, workmanship, feeling and association. Particularly to feeling and association. My feeling when I see it is sadness. It is not where the 1939 marker's first setting by the United Daughters of the Confederacy. Who are the United Daughters of the Confederacy? Did they include my Jewish grandmother who wore stars on her back in Europe? Did it include black women who were regularly raped and had their children ripped from their arms. Did they include Native American woman whose lands were stripped from them with colonization. UDC and blood descendants of confederate veterans. Southern Poverty Law Center classifies the UDC as a neo-confederate group. An article in their magazine. In 2002 the Historic Preservation Commission made an egregious mistake as we do not value this marker in Clark County. De-list the site.
- 17) Rheta Rubenstein, hearing from your attorney and staff, I have revised my prepared statement to focus on the criteria that you are to review. I looked at the criteria and the list of sites that are on the register. I'm a bit confused. Your website says that the significance is not Jefferson Davis or the marker, but the efforts of the United Daughters of the Confederacy to commemorate Highway 99 which is significant. This registration seems odd as it is for a marker and not for a building. Secondly the significance with a group's effort, which both seems to be exceptions to what is typically listed on the register. Nothing I have read makes it clear what about these women's efforts make it significant. The first speaker talked about the purpose of the markers was to build bridges between the north and the south but I didn't see anything that reflected that. For these reasons, I support de-listing the marker.
- 18) Stephen Mc Williams, Bring your attention to criteria c, integrity. The monument has been moved to multiple locations throughout its history. The marker has lost its integrity as was found by the Washington Heritage Register in 2002. Look at the criteria closely and think about the historical significance. The Jefferson Davis and the Confederate States are beacons of racism. The Jefferson Davis Highway Marker should be removed from the heritage register.
- 19) Mike Jokela, Vancouver, history of the US is very messy and not all honorable. We shouldn't forget history. Jefferson Davis is not significant to Clark County. The park doesn't exemplify special elements to our history. After the vandalism, there were private property signs posted. It is not a public park. It does not welcome our rich diverse history to understand our messy history. The marker is made from granite from Georgia. It has no significance to Clark County. The park has encouraged the silo of communities and not bringing communities together. Commission should de-list it from the register and send a message that we support love and diversity and we need to understand our history and not that we are exclusive, but that we are a rich and diverse community that loves everyone within it.
- 20) Danielle Jokela, Important to note that the register specifically calls that it is significant to the women of UDC, not the monument, not the park. The plaque that is at the park that explains the UDC significant cannot be seen by the highway. What you do see as you drive by is a large sign that says Jefferson Davis Park with confederate flags flying. You would not know that it had anything to do with a women's group and what they hoped to achieve. I would encourage them to revise the monument that reflects that or de-list it. These markers create bitterness. Those that drive by and see the flags could think that Clark County believes in the ideals of the confederacy and the history of slavery. It sends a message that people are not welcome here. You can't remove the flags, the park, the marker, but don't need to support it. The African American Museum in Tacoma has offered to take the marker and explain the accurate history of it and Washington State.

- 21) Shari Bush, HUMAN, We need to remove the Jefferson Davis Highway Marker from the Clark County's Heritage Register as it lacks integrity in feeling and association. By the commission's own words, it is not historically significant to Clark County, or the life of Jefferson Davis. Rather, the significance lies in the grassroots effort, led by the Daughters of the Confederacy for the designation and commemoration of Highway 99. Another grassroots movement appears before you, this time to disavow the confederacy from the heritage Clark County. Formerly, the commission has honored a culture which reveres Davis for his role in the confederacy and supposedly for the creation of roads in Washington. Clark County's culture has shifted. Shifted towards inclusivity, one that celebrates the strength of diversity and acknowledges the collective failures of the past. We do not want to erase history. Our movement examines history, and brings former injustice to light. For we shall not overlook who Davis really was in the context of American history. He did serve in the U.S. Federal government and ordered roads to be surveyed in Washington. This was not profound leadership, but common sense order that he had little to do with as he never even traveled to this region. He did betray our federal government by supporting and leading the Confederacy and believed that southern states had sovereignty to own slaves, perpetuating economic wealth for the upper class through free black labor, according to historian William J. Cooper. We in Clark County do not find it significant to honor anything designated to Davis, as his legacy is one of white supremacy, treason, shame, and of the oppression of African Americans, through with the lasting effects of slavery still exists in systemic racism to this day. This is not our heritage, nor do we want it to be.
- 22) Chris Dudley, Ridgefield, criteria b and c are problematic for continued listing as I don't find it significantly associated with our history and I think it lacks integrity. It does not safeguard the history of the county. You could de-list it as I don't think it met the standards to list it. History has no responsibility to ameliorate us to make us feel better. All we ask is the unbiased truth. The marker, park does not provide an accurate history but makes some feel better. I think that very clear nomination criteria have not been met also with the lack of submitting the amended application.
- 23) Matthew Furver, the argument at the beginning that effort to commemorate highways was a way to heal the north and south. This supposed healing of the north and south was only achieved through the continued oppression of African Americans in new forms by former slave owners and confederate being appeased by Jim Crow laws that treated former slaves as second class citizens. These memorials were part of that oppression. They created an atmosphere of hatred and violence that terrorized African American communities and racism still flourishes today. His historical significance comes from only his defense of slavery and white supremacy. That is what the memorial honors, not that he ordered some roads to be built. It is having that affect. It is offending and insulting parts of our community at the great joys of others.
- 24) Manna Phommathep, reading on behalf of Hector Reyes, Vancouver resident and founding member of the Southwest Washington Emergency Response network Against Hate. De-list the Jefferson Davis Marker from the register. At the core of the discussion of the imperative to delist the historical marker of the Jefferson Davis monument in Clark County lies a key consideration that supersedes all other ones. Whether Davis or any other enslaver and Confederate ghouls every lay a foot in Clark County or its immediacy is a dangerous distraction from the main issue at hand. Whether historical markers are not meant to highlight monument, is a technical consideration that obfuscates our most important concern. For what we vigorously need to highlight is a basic question. Does our county, or any branch of our government, do our civic institutions want to be associated in any shape or form with a monument that glorifies chattel slavery and white supremacy? For when a public institution,

even if it washes its hands and denies any endorsement of it, engages in cataloging such a despicable monument as something that may be of interest to some passersby, it unavoidably gets recruited into its legitimization. Whether it likes it or not it becomes an accomplice in the normalization of white supremacy and violent bigotry. The erection of such a monument in our midst has no historical remembrance purpose. The real purpose is to plant a flag, the flag of white supremacy. To stake initial ground to instigate fear and to recruit disturbed souls into a project of ethnic cleansing and violent segregation; of the evocation of violence to suppress any targeted groups or individuals. After all, in Germany there are no public monuments of Hitler or any other Nazis that the government pretends is some sort of historical lesson. What you find are monuments to their victims. And thus in closing I want to not only demand that the Historical Preservation Commission delist the historical marker for the Davis monument, for that is the minimum it must do, but I want to also plea with the commission to go further. I want the commission, in due consideration of the professed values of nondiscrimination, justice and equality of Clark County, to approve and make public a simple resolution; a resolution unequivocally denouncing the existence of any monument exalting white supremacy in Clark County, whether in public or private lands.

- 25) Donna Sinclair, Washougal, historian and professor of history. A lot of people have made important points today. Integrity of location is one. There is a distinct difference between history and heritage. History is change over time, past events. Heritage is about cultural sense of who we are. This is about the Clark County Heritage Register. This is not about history. We don't even have to argue about Jefferson Davis. What we know is that we have a public entity that is implicitly sanctioning the United Daughters of the Confederacy. There has been a lot said tonight about the UDC that is untrue. In 1913 is when the Jefferson Davis Highway was created. The 50 year anniversary of the beginning of the civil war. That was when the history of the civil war was essentially re-written. Dr. Wilson alluded to the lost cause. The southern story was spread across the country through efforts like the Jefferson Davis highway. The sons of the confederacy here in Clark County own private land and every right to fly their flag. They feel strong connection with the confederacy and some may believe that the civil war was not about slavery. But historians agree that it was about slavery as an economic system. It is important to understand that in this diverse community that we live in that is the heritage of who we are. The UDC story about a women's movement creating these monuments and markers that were placed in 1939 is an egregious way of creating a sense of who we are that is not true. There are a lot of women's groups here in Clark County that we should be commemorating and I encourage us to do so. The UDC is not one of them.
- 26) Jan Verrinder, from the south. Jefferson Davis is my heritage but I feel a lot more at home here especially with the views expressed here about diversity. I have asked you to come delist
- 27) Erik Ernst, from Portland. Creator of the PNW Division of Sons of Confederate Veterans, a 501 c 3 organizations started in 1996 to honor the confederate veterans' soldiers' good name and the true history of the south is presented for future generations. I'm also on the Jefferson Davis Park board and work to maintain it. Jefferson Davis established the coastal routes and military roads in the PNW, but besides that he also established the coastal defenses in the state of Washington and Oregon, Fort Vancouver, Fort Stevens, Fort Columbia, which is also a big important piece. The Blaine marker sitting in the park now is only temporary until a park can be established in the north end of the state. The location was chosen on I-5 because we believe the marker should live within 100 yards from the freeway lanes because Interstate 5 was where Highway 99 was located and in regards to the question no mention of the UDC on the property. The sign does mention the Daughters of the Confederacy and the Sons of the Confederacy as a joint effort. There is no local chapter of the UDC in the Vancouver area, but there is in the Seattle area, but none of them could make it tonight. The third national flag

represents our organization and the first national flag specifically because that is the flag that the UDC flies. I urge you to keep the monument on the county registry of historic sites.

- 28) Holly Chamberlain, at the time the marker was nominated to the register, the majority of the commissioners were in favor of the listing based on established criteria. As a public official, one uses their professional evaluation, not their personal opinion. History doesn't always suit our own views of what life should be like. There are many views of what is just and right and good. The heritage register is supposed to be a compendium of events, architectural and below ground resources. The register is a documentation and record, not a celebration. I am disturbed to learn tonight that the stipulations placed on the nomination were never met and I'm troubled by the changes of location and setting. I suggest the commission hold a workshop on the process of placing resources on the register so that this can be a continued conversation about the history of our county. Nominations vary greatly as to their information and quality, but the process is meant to be open to all, not just to professional historians and archaeologists. There are many more historical resources available online than ever before. Upon a workshop, it would help clarify how to prepare a nomination for listing and the whole process, but most important how a local property qualifies for the register. Community conversations must continue about our past to help us prepare for our present and future. The landmark commission and landmark process is not the only way to document our history. I hope we can work together with local institutions about heritage in our community that provide exhibits and document our past, not only the Clark County Heritage register.
- 29) Sharron Branard, the reasons for delisting have been adequately presented. I would like to call everyone in the room's attention to the words on the wall by Oliver Wendell Holmes, "The great thing in the world is not so much where we stand, as in what direction we are moving". We are moving, I hope, towards a county, a nation, a state of unity that is more possible than it has been recently. This monument is the wrong direction and I hope you de-list.
- 30) Lee Jensen, on the item b for criteria says to be significantly associated with history. I was taught that Robert E. Lee and others that they did not want monuments of civil war officers from the south. They wanted the country to heal. To have monuments now to officers of the south is contrary to what history was at the time.
- 31) Garth McKinney, first and foremost I'm a Lt. Commander of the Pacific Northwest Division of the Sons of the Confederacy. I respect all the opinions that have been shared here. I understand that there is a great concern over our monuments due to recent events. I believe it is important to state that the group that showed such a great deal of bigotry in Charlottesville does not stand with the Sons of the Confederate Veterans nor do they stand for what we represent or will represent in the future. A group such as that is divisive that tries to separate our population, whereas we at the SCV hope to educate those of the history that has taken place between 1860 and 1865. I understand that there are groups here tonight that would like to relocate the markers to other places, such as museums or they have their own belief on how these markers should be betrayed as our history. I would ask these people that instead of asking us to remove these markers to come together with us to work together to try and have all our history to be honored at the site. This marker doesn't have to be a marker about just one group of people or one race. The sons of the confederate veterans are a group of a wide variety of people with African American heritage, Native American heritage, those of Caucasian heritage. People that are of various religions. We do not care what your sexuality is. We have people of all sexualities. We have people of all ethnic backgrounds. All we ask is that we get a chance to speak to what we believe in and allow you to do the same.
- 32) Carole Dollemore, I wasn't comfortable having it end that way. I didn't know about the park until recently. I couldn't believe it as I saw it on my phone. I walked into the park, up the gravel pathway, read the sign and looked over at the highway. I've lived here 40 years and I

couldn't believe this park was in our community. It really upset me. I hope you can de-list it as I read the words on the wall that is the answer. Please listen to us because we want to move in the right direction.

- 33) With no further public comment, the hearing was closed to move on to deliberations.
- 34) Kamp informed the Chair that the text of the plaque about the United Daughters of the Confederacy that was requested by Commissioner Gall was provided to her. Kamp read it aloud and it is provided in Exhibit IV.

### III. DISCUSSION

1. Commissioner Hinds, much of the commentary we heard from the public is regarding Jefferson Davis himself and his contributions. It is clear by the documentation provided by staff that the highway marker's significance was not with the life of Jefferson Davis and was listed due to its association with the United Daughters of the Confederacy. I'm not sure how much deliberation we need to put into about Jefferson Davis and his life. There is certainly a mixed history there. I personally have the mind that history is there to learn from. I think of the famous quote from George Santayana, "Those who do not remember the past are condemned to repeat it". That is part of historic preservation and the role it serves as we have a record of history be it good or bad. I don't think the Jefferson Davis is relevant to this discussion.
2. Commissioner Gall, I think that has been established in the original nomination decision stated that. That discussion has already been had and that Jefferson Davis wasn't part of the significance. I don't think the UDC had a chapter in Clark County if that is correct or not, I couldn't find anything. I think it was the Seattle chapter that spearheaded it. The reason Vancouver was chosen was because it was the southern terminus of Highway 99. Vancouver or Clark County wasn't chosen for a particular affinity for Jefferson Davis or the UDC. I don't know that criteria of being significantly associated with the history, archaeology and so forth applies.
3. Commissioner Denniston, I think that when we look at the original nomination, it is profoundly flawed. That one statement of the actions of the UDC is very insufficient. What is missing is what we can find that there might be significance of this marker in terms of national history. This marker is part of a whole system of monuments that are rooted in the lost cause ideology that looked to replace the history of the civil war and the mythology that it was about states' rights when almost every declaration of segregation said that it was about slavery. Jefferson Davis was a part of that mythmaking when he wrote his rise and fall of the confederate government; he planted a lot of seeds of that mythology. The success of that was profound, that we could have a movie like *Gone with the Wind* in this country celebrating the people and the culture that was on the losing end of the civil war. This system of monuments was used as an element of racism and established white supremacy in our country. If we look at the peak building period of these monuments it coincides with rise of segregation laws, Jim Crow, the re-establishment of the KKK. When the United Daughters of the Confederacy were advocating for these markers to be raised, they had their own publication called the *Southern* magazine. They were giving a full throated defense of the KKK and their defense of the Anglo-Saxon white man against the black man. The significance of this marker is in this larger national narrative of why this marker bothers them is on the same basis for its significance. A lot has been talked about its integrity of location, but if we follow our ordinance, our ordinance foresees that historical objects get moved. Under F (1) (g), resource removed from its original location. We have this thing in our ordinance that says that things that are moved can be historic. I think there is a strong argument for its historic significance of this object, but not the historic significance that many have spoken out for its retention would embrace. Going beyond that, there might be some

that say, I don't care about the significance, I don't want Clark County to be associated with it. I think that not following our ordinance is what got us in this situation. We had a nomination that didn't establish its significance, yet we listed it anyway. With the certificate of appropriateness that was submitted for relocating it, the discussion was not about the marker's actual historic significance. The city of Vancouver, the Clark County Historic museum wanted to disassociate themselves from this marker, and is why it is located where it is. If it was at a museum, it could be a sign giving historical context. Instead it's sitting on private land with confederate flags flying over it. I think that if we look at our ordinance there is an implicit obligation of this commission to educate the community to preserve the history of the community. All these parts, as negative as they are, are part of that.

4. Commissioner Hinds, we received some commentary from Ms. Williams who said she was confused with the nomination. I was confused too. The documentation was insufficient; the main basis for its listing was with the UDC. There was a lack of references, footnotes, documentation in general to support what was in the nomination. It was admittedly well written. This has been a challenge we have. I've looked at some things that get on the register that don't meet as high of threshold of scrutiny. Today, we have encountered that we needed that, we needed that nomination to be vetted more fully, be it listed or not. We heard from Holley Chamberlain, who spoke tonight, that the nomination needed more information on May Avery Wilkins and that more information on why Clark County was chosen as the location, which was another question that came to mind and wasn't adequately established in the nomination itself. A lot of details are lacking. If it was coming before us today, I would have expected to see it sent back for further work before I voted for approval of its listing.
5. Commissioner Heaney, also, we have our four criteria and seven integrities. The original nomination application had no findings on its association and setting or workmanship. Association and setting was mentioned in the certificate of appropriateness. Staff came out and said it was ineligible because of its location criteria. There was a counter for that, but setting is more than just location and it wasn't addressed much in the certificate. At the time, the marker was set in a field, but now there is a great deal of additional physical context around it which speaks to setting. If we would consider it now, with all the info we have, the setting, location, association together are all pointing to a complete break of its original historical context.
6. Commissioner Pelletier, everything I could say has been said. I speculated in my mind as to what was going through the minds of the commission back in the day when they were considering this. I'm at a loss to explain it except that it was as awkward then as it is now. They did a bit of a shell game that they came to the decision they made enabled them to make a more sensitive issue out of this. Regardless whether I'm right or wrong on my speculation, that isn't the criteria and in terms of the various comments on integrity, I believe everything that concerns me has been expressed.
7. Commissioner Gall, asked Chris Cook, is this actually on the register if the supporting documents were not provided. Cook, it is my understanding that it is on the register. It is a vote by the commission in favor of the certificate of appropriateness to keep it on the list. I would say it is there. Hinds asked Kamp to read the statement by Commissioner Manley, who could not be here tonight. "The 2002 nomination promoted the 1930's era efforts of the Daughters of the Confederacy as a woman's group struggling against a misogynistic society. Though a true story, in hindsight it was questionable justification for heritage register status for this object. The HPC has turned down several applications that relied on similarly secondary, associative but well intentioned syntheses during my tenure on this commission. I disagree with the 2002 nomination. I find that, especially given developments at its current location, the monument doesn't have "...integrity of location, design... feeling and

association...” necessary for inclusion on the register. Whether in its current setting or not, I find that the monument does not serve to help us understand history “...by illuminating the local, statewide, or nationwide impact of the events or persons associated with the property.” I find the monument does not have “...exceptional value in representing or illustrating an important theme in the history of...” the local area, state, or nation. The monument is not directly tied to our history. Instead it exists solely in reference to other events or persons or historic themes – like a footnote in a book, or the caption below a photo, or an interpretive plaque. On all counts it falls short of meeting CCHR criteria.

8. Commissioner Hinds, we’ve been advised to go through each of the criteria for listing. I will read them and take any comments as we go through. Fox asked if we need it as part of the motion. Kamp, whoever makes the motion needs to state what criteria are used for the decision. Fox, that is an interesting point, because we are not making a decision tonight that the marker couldn’t be back again when moved to another place. Gall, or if more information is provided to give it more context. Fox, our register is a living thing within our community as groups bring things forward as we get histories of buildings and those that built it or lived in it or gravestones. A lot of these sites have that detailed history so that we can discuss and decide. Whatever we decide tonight, like you said, it could come back 2 years or 10 years from now. Pelletier, the owners could still re-apply 10 years from now. Hinds, reading the minutes from 2002, Marjorie Reeves, the applicant stated that it was important to list the monument on the heritage register to preserve it and the monument was moved and now sits on private property and is preserved. Cook, it will be necessary to write findings and I would suggest after we finish this evening, you ask staff to prepare findings that you will adopt and based on the code at your next meeting. Although you will make the decision tonight, you should have documented findings to support it. You need to simply have the basis for your decision. In order to inform the public and the staff as to why you are making a decision that you are making, it would make sense that you either vote to retain the marker on the heritage list because it meets all the criteria or that you explain your view of the criteria that it doesn’t meet. It doesn’t need to be long and drawn out as you have discussed your views and we have heard from the public on the criteria. If you could say what is you think it doesn’t meet, than it would be possible to put together some findings that address that criteria.
9. Commissioner Denniston, I know building codes that if there is a conflict between provisions of the code, the more specific prevails. We have one criteria that talks about integrity of location and setting. Then we have a more specific criteria that says if an object has been moved. There is an apparent conflict between the two. Gall, I don’t think that is the criteria. The criteria is that it is significantly associated with the history, architecture, archaeology, engineering, heritage of the community, that two, it has integrity of location, design, setting, workmanship and association and three, that it is 50 years. Those are the criteria. Cook, in addition to those three criteria, listing must meet the following criteria and one of those says, g, which was not one that it was a possible findings in favor in 2002 or 2007. It says, is a historic building or cultural resource. First, is it a historic building? Second, is it a cultural resource? Removed from its original location but which is significant for architectural value, or association with a historic person or event, or prehistory. In order to bring the exception to the locational criteria provision in play, you need to determine that it meets all those things in (1) (g). Gall, it is my understanding that if we don’t find that it meets the criteria of significantly associated with the history of the community, that we don’t need to even go to the additional eleven criteria. Cook, that is correct. It must meet all of the top three and one of the additional.
10. Commissioner Gall, I don’t think it is significantly associated with this community. Its placement was random because we are the southern terminus of the highway. The UDC was not here in Clark County and doesn’t speak to our history as a county. I feel it has lost its feeling of location and setting and association. It is supposed to be a fairly nondescript highway marker and is now festooned with confederate flags and signage. It has undermined

its integrity, its original intent as a highway marker. Denniston or its original intent as a confederacy marker. Gall, I'm going off the nomination that is stated. Denniston, we have public testimony. If we are only limited to what the nomination says, we will be limited with the ability of who provided the information. Hinds, we are limited to the Clark County code. Gall, we are limited to what is in the record. We are not asking for more information. Fox, we had quite a lot of testimony submitted to the record before hand and have had the opportunity to all of us do our own research. WE bring a lot more to this decision than just who showed up. We have a lot to weigh with the first three criteria. The first it does meet as it is at least 50 years. You can't weaken an argument on b and c when you talk about the history of this region. We don't have an architectural argument to make. The marker is not done by a master in its craft, so that we can argue that the marker itself is a feature that people would visit because it is an amazing thing to see, like a bridge or an important building. So, b is not met and c is not met. I would go into the realm of d as it falls into one of the categories selected, but we don't need to go there and just because tonight it doesn't meet the criteria, it doesn't mean that the owners want to submit a nomination with more information, they can do so as any member of our community can.

11. Commissioner Denniston, I do have serious concerns with just stopping at location, because every resource on our register that has been moved needs to be taken off the register.
12. Commissioner Gall, we are not stopping at just location, for a property to have integrity, location is one, there is an out for that which g provides, if something has exceptional merit, architectural merit, it could be retained on a register. We are not saying that simply because it was moved it is no longer eligible. That is perhaps a contributing reason, but other things have undermined its historical integrity. The biggest issue is that I don't see the historic tie to our community. We nominate things to the register to remember our history in this community. This plaque doesn't really fit to represent a certain history of Clark County. The players behind it are not rooted in Clark County. The location was chosen because our point on the north side of a river. It doesn't speak to our community or from our community. That is the biggest issue with the criteria.
13. Commissioner Denniston, criteria (a) could be national history.
14. Commissioner Gall, if they wanted to do a multiple property listing of all the markers across the USA, it might be eligible for the National Register. But having one marker in Clark County on the Clark County register, it just doesn't meet our own criteria to significance to Clark County.
15. Commissioner Pelletier, I agree. My sense is that a point comes where we cross roads with points of history. To identify those as justification is a stretch. I want to honor the fact that there are those people that will differ from our conclusion, and realize they may be able to site some instance where Jefferson Davis had a third cousin on his mother's side that passed through Clark County at some point, but I think they are minor relatively thinking.
16. Commissioner Denniston, the presence of all these people here tonight speaks to its significance and it is not minor. It is not a small interaction. The connection of this marker to these national events was not this strong they wouldn't have shown up. We're in a catch 22 argument for why people have found this marker offensive or hurtful or why it makes it people feel unwelcome is rooted in connection of this object and with this significant national trend. Anti-reconstructionism probably did more to effect race relations in this country than even slavery and is significant. Our community was chose, we didn't choose it, but we were chosen and let it be put here.
17. Commissioner Hinds, most of the commentary that we have heard is about Jefferson Davis and the role he played in the confederacy, the civil war and his connection to slavery. The original findings is that this marker's significance was not connected to the life of Jefferson

Davis, which can be polarizing and has brought out a lot of strong feelings on both sides, but I'm not sure that is at issue. The UDC itself is as polarizing, I'm not sure. In the 2002 nomination, it argues that the marker's significance falls into three areas below from 40.250.030(F)(a), is associated with events that made a significant contribution to the broad patterns of national, state or local history, I think that is questionable based on the documentation. In 2002, they thought there was insufficient evidence to support that and asked for more information; (d) exemplifies or reflects special elements of the county's history. I think that the comments that Alex is making are appropriate. It is hard to make a solid connection with the United daughters of the confederacy and Clark County specifically as an epicenter of their activity and what they were trying to do. No documentation as to why Clark County is important and its location here; (e) is associated with the lives of persons significant in national, state or local history if it is not Jefferson Davis than it would be May Avery Wilkins of the UDC, but even then there was insufficient documentation to support that and more information was requested to add information and that request was never met. It is hard for me to say today that his nomination holds up based on the criteria.

18. Commissioner Denniston, if this nomination came before today, I would say it would need to go back for more information. Now the public record is more expansive. We've had people testify to the significance of the UDC. We had a former commission member speak about them during his public comments. Fox, he also testified that they were out of Seattle and not Clark County. Denniston, I'm saying the connection is national, and is not directly associated with the local community and does not meet (d). I think it meets (a) and (g) which is the basis for it.
19. Commissioner Gall, if it doesn't meet (d) than it doesn't meet the first criteria of being significantly associated with the history, architecture, archaeology, cultural heritage of the community and the community is the county. To me the buck stops there.
20. Commissioner Denniston, I think this marker is historically significant for the reasons that I gave. But, Alex has convinced me that it doesn't meet the criteria of our ordinance. I'm rather disappointed in our commission's history and not following our ordinance with the nomination and then the certificate of appropriateness. I hate to see our history with this marker not follow our ordinance. That is what we have to work under.

#### **IV. FINDINGS and MOTION**

The CCHPC deliberated on Oct. 3, 2017 and made the following motion and findings:

1. Commissioner Sean Denniston made a motion that the marker be de-listed because it has not adequately shown to meet the criteria of our ordinance from the terms because it is not significantly associated with our history, architecture, archaeology, engineering or cultural heritage of our community. Commissioner Mark Pelletier seconded the motion. Commissioner Alex Gall amended the motion to include that the marker has lost its historic integrity of location, setting, feeling and association. Commissioner Rob Heaney seconded the amended motion. Commissioner Sarah Fox believes the motion is an accurate description of what was discussed tonight. Commissioner Sean Denniston accepted it as a friendly amendment. Commissioner Robert Hinds restated the motion to delist the marker from the Clark County Heritage Register, which was seconded and amended and the amendment seconded. The vote was 6-0. The motion was carried.  
Hinds – Aye, Fox-Aye, Heaney – Aye, Denniston, Aye, Gall-Aye, Pelletier, Aye

## V. DECISION/CERTIFICATE OF APPROVAL

2. The Clark County Historic Preservation Commission de-listed the Jefferson Davis Highway Marker from the Clark County Heritage Register.

### List of Exhibits (new or amended exhibits are **bolded**)

- I. **Parties of Record**
- II. **Audio**
- III. Staff Report dated Sept. 20, 2017 and exhibits
  - a. Current photos of site
  - b. Aug. 26, 2002 Clark County Heritage Register Staff Report, Nomination
  - c. Aug. 26, 2002 Meeting minutes and audio
  - d. July 2, 2002 State of Washington Office of Archaeology and Historic Preservation letter
  - e. 2007 Certificate of Appropriateness Staff Report, Application and Decision of HPC
  - f. U.S. Dept. of Transportation – Federal Highway Administration – Jefferson Davis Memorial Highway by Richard F. Weingroff
  - g. Public comments received
- IV. **Written comments and information received at hearing**