



Meeting Notes

Tuesday, Sept. 5, 2017 - 6:00 p.m.

(These are summary, not verbatim, minutes. Audio recordings are available on the Historic Preservation Commission's page at www.clark.wa.gov/community-planning/historic-preservation-commission.)

Member Present:	Robert Hinds, Mark Pelletier, Sarah Fox, Roch Manley, Sean Denniston, Rob Heaney and Alex Gall
Members Excused:	
Staff Present:	Jacqui Kamp and Chris Cook (Clark County); Jan Bader and Jon Wagner (City of Vancouver)
Guests:	Patrick Lee (Applicant-Clark County)

- I. **Roll Call & Introductions:** Commission members and staff introduced themselves.
- II. **New Business and Announcements:**

Jefferson Davis Highway Marker: Discussion to consider scheduling a public hearing about whether the marker should be removed from the Clark County Heritage Register.

- Jacqui Kamp, staff, provided a brief overview of the reason this item was before the HPC
- After the violence in Charlottesville in August, the county received comment regarding concern of the marker on the Clark County Heritage Register with some requesting it be removed which have been forwarded to the Historic Preservation Commission, collected as part of the record and posted to the web
- Jacqui stated the background of the highway marker and the process required to remove it from the Clark County Heritage Register which is owner initiated or commission initiated. The process is same as placing it on the register. All comments are part of the packet
- Sean Denniston asked who the markers belong to.
 - Jacqui stated the highway marker is owned by the United Daughters of the Confederacy
- Sean asked if there is a process to amend nominations.
 - Jacqui stated that it would be through a public hearing.
 - Chris Cook confirmed that to take an action and make a record there would need to be a public hearing.

Identify, evaluate, designate and assist in the protection of Clark County's irreplaceable historic and cultural resources.

- Sarah Fox made a motion to schedule a hearing for this topic at the next available meeting date. Roch Manley seconded the motion.
- Roch stated that this would be the first registered site/property/item that we have talked about changing status on and Sean makes a good point as to relevance of history changes and which history is relevant
- Sean stated that we don't put things on the register to honor them, we put them on the register because they are significant. Not all history is honorable; some terrible things can be significant. We have to be honest about the significance about the things on the register. The National Register does not put memorials on the register unless the thing itself is significant.
- Sarah reminded Sean that the discussion should be on the motion and the discussion about the topic should be at the hearing.
- Robert believes the commission owes the community the process.
- All were in favor (6-0 – Alex Gall was absent for the vote) of the motion to schedule a hearing for the Jefferson Davis Highway marker for potential de-listing of the marker from the Clark County Heritage Register.
- Robert stated that the meeting will be at a larger location to accommodate all that would like to attend
- Sarah explained that if you provided your email, you will get notified of the meeting

III. Public Hearing – HST2017-00003 – 1919 NE 78th St., Vancouver – Clark County Poor Farm –Certificate of Appropriateness application for proposed new cemetery fence:

- Jacqui Kamp gave an overview of the application of the Certificate of Appropriateness for a new split rail fence to encircle the cemetery on the north, south and east, and relocation of a chain link security fence that currently bisects the cemetery by moving it to the western boundary. The Certificate of Appropriateness also includes placement of an interpretive panel to explain that the fence was not historically part of the property. Staff is recommending approval of the application as proposed.
- Robert Hinds stated that he understands the design concerns and cost implications of the fence options. He commends staff for a very good staff report and process.
- Roch Manley liked the suggestion of removing the chain link fence at grade level so as not to disturb the soil by leaving the footings of the fence in place. Pat Lee (Parks Department) stated that that could create a safety hazard at the site and be a liability issue, specifically maintenance equipment that could run into the footings and personal injury that could occur. Therefore the county wants to pull out the footings of the chain link fence completely.
- Roch asked if the county has done the ground penetrating radar around the fence area to ensure proper removal of the fence footings. Pat handed out an exhibit to show where the burials are located and showing where the split rail fence will go. The perimeter of the cemetery will include a 15 foot buffer for maintenance roads along the north and south and a 12 foot buffer to the east for use as an access/maintenance road. The exhibit shows an 18 foot central road in the middle of the cemetery, which is where the existing chain link fence is located. We will be hiring an on-site cultural observer to oversee fence removal and post hole digging to guide us if we come across any artifacts.
- Rob Heaney asked if the fence removal would be done by bulldozing with a track hoe bucket and chain as opposed to excavating them. Pat replied yes.
- Sean asked if the notation about the fence not being historic would go on the interpretive panel that was designed for the cemetery. The reply is that the notation will need to go on a separate sign attached to the fence because the interpretive panel has already been created and printed.

- Sean appreciated the thoroughness of the Certificate of Appropriateness and its responsiveness to addressing the concerns of the Historic Preservation Commission, even though he was not originally in agreement with adding a fence as it was not part of the original historic property.
- Roch asked if there was a maintenance budget allocated for future repair and replacement. Pat Lee and Chris Cook (Clark County Prosecuting Attorney) replied that maintenance activities are funded through the county budget.

Public Comment

- **Rob Freed:** I serve on the Farm Advisory Board. The split rail fence may not be the ideal design, but it serves the correct purpose in protecting the valuable cultural resource and provides honor to the people who are buried there and protects against further disturbance.
- **Lisa Bayautet:** Lisa requested the Historic Commission to please utilize their capacity to advise the Board of County Councilors to set aside funds for additional maintenance specific to this area if the fencing recommendation is made. She distributed photos of an easement fence for a stormwater access on the farm that extends towards her property. The fence was damaged last year and Lisa was told that it would be two to three years before the budget allows for its repair. Another photo shows another damaged fence near the cemetery which was damaged when a tree fell in 2015. Lisa read a letter written by her neighbor on August 28, 2017, describing this damaged fence. The neighbor conversed with a county employee one week later who was chopping up and removing the tree and said someone would return to repair the damaged fence. The fence has not been repaired to date and remains mangled in places and an eye sore, with blackberry bushes growing onto their property. The property owner is requesting access to the county property so that she can better remove the blackberry bushes and garbage that is occasionally left there. Lisa stated that there needs to be better communications between residents and the county regarding the maintenance of the fences. Lisa requested that the county please include a recommendation of additional maintenance funding for these fences because the county maintenance fund is not enough to repair and preserve these areas. Her second point is that she is aware of the 500 ft protected area that the Department of Archeology and Historic Preservation (DAHP) designates as a protected area beyond the 150 by 300 ft cemetery. Lisa stated that the county allowed her to build her home on the immediate border of the cemetery and that her home was excavated 10 feet during construction with no ground monitoring. A representative from DAHP told her that "there is not yet a historical cemetery that has not revealed bodies outside of a cemetery in our state". Lisa requested the commission to please honor the 500 ft boundary around the cemetery on all sides because she believes there are bodies outside of the cemetery.
- **Tracy Pax:** Tracy read aloud her neighbor (Robin Summers) letter. Robin is one of the neighbors whose property borders the west side of the cemetery. Robin was informed by the Parks Department a few weeks ago that the cyclone fence would be moved to the west and it would be 6-8 feet from the property line allowing trees to be planted. Issues regarding the fence have been bounced around for a few months. It is her understanding that people may be buried in shallow graves. She asked the commission to consider using

more trees and shrubs to demarcate the cemetery boundaries instead of a fence. There are already a lot of mature trees on the western boundary. A cemetery is a resting place and should be peaceful. Trees and landscaping would be the most appropriate for demarcating the boundary. There is also a lot of wildlife in the area that could benefit from this.

- With no further comment, the hearing was closed to move on to deliberations.

HPC Deliberation:

- Robert Hinds closed public comment. Robert stated that county code requires that the HPC have a professional archeologist on the commission and that gentleman is Alex Gall. The HPC is very cognizant of the need to respect human remains and they have consulted site surveys and asked questions about how far dispersed graves may be from cemetery boundaries to address these concerns.
- Sarah Fox moved to approve the Certificate of Appropriateness for the fence. Roch Manley seconded the motion. The vote was 6-0 in favor of approving the Certificate of Appropriateness. Alex Gall did not vote.
- Jacqui asked the HPC for any input on the placement on the location of the interpretive panel. Sean requested that it be placed in the most publicly accessible and visible location.

IV. Old Business and Updates

- Approval of the HPC meeting minutes from the August 1, 2017. Roch Manley moved to approve the minutes and Sarah Fox seconded. All were unanimously in favor of approving the minutes.
- Council presentations: Review of PowerPoint presentations and scheduling. Jacqui distributed the presentation schedule and requested that HPC members identify which meetings they can attend. Jacqui sent out the draft presentation slides and solicited feedback and edits. The style is less text and more graphics to tell the story of the HPC. Sarah suggested that we create a one page handout or Powerpoint for each city showing their properties that are on the register. Robert requested more photos to tie this to Native American history as well.

V. Public Comment

- Bridgette Fahnbulleh: I'm the President of the NAACP of Vancouver. What was the union fighting against? Slavery. Property law as applied to people allowing individuals to buy and sell other people. No honor or memorial should be given for flying the confederate flag. She shared stories of cruel, inhumane treatment of former slaves and shared stories that her grandmother shared with her about slavery.
- Elizabeth Madrigal: I'm part of Indivisible Vancouver. I find this flag incredibly offensive. I know that it is on private property and the county can't remove it. This is not representative of our community. Slavery should not be honored in any way. The government should not sanction it by having it on the public register. It is very hurtful and sad when your government says "well, but this is part of history". It's harmful to people, bad for business, and Clark County should not be sanctioning this.

- Sarah Martin: The Jefferson Davis highway marker is a disgusting reminder of the cause of the confederacy: the enslavement of human beings. I find the notion of celebrating this legacy as repugnant and hope you reconsider listing this as a heritage site and providing funding for its upkeep, when it has nothing to do with Clark County's heritage legacy. Why should Clark County support the celebration of hatred and oppression? Do the right thing and remove this site from the heritage register.
- Thomas Gallegos: Hate makes people feel bad. Why celebrate hate?
- Patrick Gallegos: I have many friends who are non-white. Please do not celebrate slavery.
- Daniel Jokela: Jefferson Davis is not historically significant to Clark County or Washington State. Jefferson Davis did not visit our state. Washington state was not part of the confederacy and did not become a state until 24 years after the end of the civil war. The organization that maintains the Jefferson Davis marker is dedicated to honoring and promoting the cause of the confederacy. The inclusion of the monument on the registry signals to our citizens that Clark County supports the ideals of a failed society and is a haven for white supremacists. The confederate flag and the highway markers signal to minority communities that they are not safe in southwest Washington. Historic sites on the registry may receive financial support from the county, including reduced property taxes and are promoted on the county's website and mobile app. According to the county's website, the monument itself is not deemed historically significant to Clark County, nor is the life of Jefferson Davis. The fact that it is on the registry is memorializing the work of the Daughters of the Confederacy. Let's memorialize the grassroots work of the NAACP instead.
- Hector Reyes: I'm speaking on behalf of the Southwest Washington Emergency Response Network. I find it appalling that such a monument exists. Every time I drive past it, I feel uncomfortable. It is toxic to our county. Fifteen years ago this became a registered marker. I encourage the present historic commission to look at how this could have happened.
- Chris Dudley: I appreciate that you are considering this issue. Memorializing and glorifying this is an abomination. I don't want any kind of violence that has been threatened by supporters of this marker.
- Rob Freed: I was chair of the historic commission in 2002 when the marker was put on the register. I was personally against it. Monuments do not belong on the register. Structures and buildings are what go on the register. The monument has a checkered past in terms of moving around to several different sites over many decades. It has lost its historic context because it's not on Highway 99 any more. Jacqui Kamp clarified that there was a hearing in 2007 and there was a process for putting it on the register in its current site.
- Amber: We are a military family and I work for the court system and school district. We want to invest our lives here in Ridgefield. I didn't notice the flag at first. My daughter said she was getting racial discrimination from school. Adults create a climate of what is acceptable and not acceptable.
- Enshane Nomoto: I moved here from Alaska and Ohio a few years ago. I enjoy that the Pacific Northwest is a progressive society that is open to different people. I really feel like a minority here, but I did not feel like a minority of thought. I was on the I-5 freeway after Charlottesville and I noticed the confederate flag and a man standing there standing as if he was protecting the space. It was jarring. I started rethinking about the type of community I moved to where hate is being celebrated. I don't think we should honor hate. We don't stand for this as a community or a state. Please consider taking it off the register.

- Jacqui Kamp clarified that any property on the historic register is qualified to apply for county grants and tax reductions, and this property has not applied for any public funding.
- Tiffany Burnette: I previously lived on the east coast and overseas. After the Charlottesville incident, I saw 4-5 trucks parked along the I-5 freeway flying confederate flags, which is a symbol of violence. I'm new to Clark County but felt like I don't want to live here. We are rallying our forces and we don't want symbols of white supremacy in our community.
- Matthew Farver: The listing is a symbol to the community. This memorial is a symbol of white supremacy. That's what Jefferson Davis stood for. It's a symbol for the Daughters of the Confederacy of how the world should be. For this community, it's a symbol for what the world should not be. If private property owners want this marker on their property, that's their right. But we shouldn't give them a place on the register.
- Shari Bush: Thank you for clarifying that this property is not getting a tax reduction. I don't want this organization to be able to apply for tax reductions and grants. It's important that we as a community do not sanction this symbol of hate.
- Rheta Rubenstein: Robert E Lee would not support confederate flags in Washington state.
- Howard Rubenstein: I want to thank the commission for holding a public hearing on this. Perception is reality. If I look and see that this marker is a public listing, it says to me that the people of this community welcome this in some way. I've only lived here for a year. I was truly aghast to learn about this marker. I come from Detroit where black people are much more visible. I was concerned about moving to SW Washington that was so segregated. This marker is not warm and welcoming.
- Damion Jiles: I want to ask "what would a segregated superbowl look like?" I went to high school in Texas which honored slave owners. I always wondered why these names were honored. It sends a message. When you have monuments to slavery, it sends a message.
- Megan Dudley: I do not think the monument reflects our community. I do not agree that it be included on the historic register.
- Sean asked for clarification about ex-parte communications.
- Chris Cook clarified that the HPC members are not expected to be in an isolation chamber while this community discussion is occurring. Chris Cook stated that she assumes that HPC members have no financial interest or ties to the owners of the Jefferson Davis highway marker. If they do, they must recuse themselves. If anyone wants to talk about it with you, you should state that you can't talk about it and encourage them to give their public testimony at the public hearing. The influence on the commissioner's decision needs to be content that the public can hear and read, not conversations that occur in private. This meeting is being recorded and the words that you speak will be part of the public record. It is difficult to access the spoken word. Many people came in with written words. Written submittals are really helpful. If you can email them to Jacqui Kamp at the county, she will get them to the commission before the meeting. Jacqui gave out her email address. The Commission members will be able to read your thoughts before the public hearing. If you can hand in your written comments before or after you speak, it will be helpful. The chair will decide the time limit for each speaker at the public hearing. The Open Public Meetings Act (OPMA) requires that the public hearing be noticed in advance on the county website. The public hearing will also be published in the Columbian and possibly the Reflector.

VI. Adjournment: Meeting was adjourned at 7:00 p.m.