

North Carolina Historical Commission

Meeting Minutes

December 18, 2024

The North Carolina Historical Commission (NCHC, Commission) met in the Archives & History Building on Wednesday, December 18, 2024. In attendance were commissioners: David Ruffin, Chair; Shana Bushyhead Condill; Dr. David Dennard; Barbara Groome; Dr. Susanna Lee; Dr. Valerie A. Johnson; Susan Phillips; W. Noah Reynolds; Barbara B. Snowden; and Commissioner Emerita Mary Lynn Bryan. Absent were commissioners Newell Clark and Samuel B. Dixon.

Also in attendance were: Dr. Darin Waters, Deputy Secretary for Archives and History, North Carolina Department of Natural and Cultural Resources (DNCR); Sarah Koonts, Director, Division of Archives & Records (DAR); Michelle Lanier, Director, Division of Historic Sites and Properties (DSHSP); Ramona Bartos, Director, Division of Historical Resources (DHR); Phil Feagan, General Counsel for the DNCR; Jonathan Avery, DNCR Assistant General Counsel; Eizabeth Reighn, Director of Curatorial Services in the DSHSP; Kara Deadmon, Interim Manager at the State Capitol State Historic Site; Kimberly Kandros, DNCR's Manager of Development & Special Projects; Katie Hatton, Editor, North Carolina Colonial Records Project; Natalie Rodriguez, Associate Director, North Carolina African American Heritage Commission; Chris McLennan, Special Deputy Attorney General for the North Carolina Department of Justice; Fayetteville resident Felton Foushee; and Parker Backstrom, Office of Archives and History (OAH) administrative assistant and Recording Secretary for the NCHC.

The meeting was livestreamed on the DNCR website. Copies of all cited written materials can be found in the file for this meeting.

Call to Order and Conflict of Interest Statement

The meeting was called to order at 9:59 AM. The chair noted that due to the fullness of this meeting's agenda the Commission would be unable to entertain verbal reports from the division directors. After calling roll to establish the presence of a quorum and asking any commissioner to voice any concern they may have about a potential conflict of interest pertaining to the business at hand—no such concern was expressed—Mr. Ruffin moved forward with the morning's business.

Approval of Minutes

The chair entertained comments about the minutes from the September 17, 2024, meeting of the NCHC. With no changes requested, Dr. Dennard moved approval of the minutes as written. The motion was seconded by Ms. Condill and carried by unanimous vote.

Accessions and Deaccessions of Items in State Collections

At Mr. Ruffin's request, Dr. Waters brought before the Commission a list of items recommended by the Office of Archives and History Collections Committee (OAHCC) for accessioning into and deaccessioning out of state collections. These included the North Carolina Museum of History in Raleigh (MOH), the Mountain Gateway Museum, and the North Carolina Maritime Museums (NCMM), as well as the DSHSP. Citing the list that was made available to the commissioners in advance of the meeting, Dr. Waters opened the floor to questions. As there were none, Ms. Snowden moved approval of the recommended accessions into the MOH and NCMM. The motion was seconded by Ms. Phillips and carried with unanimous approval.

Commissioner Condill asked a question about an item recommended for accessioning into the collection of the DSHSP which was addressed by Ms. Lanier. With no additional questions Dr. Johnson moved approval of the proposed accessions and Ms. Phillips seconded the motion. All commissioners voted to carry the motion.

As is standard procedure, items for deaccessioning were dealt with separately. Dr. Waters cited the items recommended for deaccessioning from the collections of the NCMM and Mountain Gateway Museum. With no questions forthcoming, Dr. Dennard moved approval and Ms. Groome seconded the motion. The motion was carried unanimously.

Lastly, the OAHCC's recommendations for items to be deaccessioned from the collection of the DSHSP were presented for a vote by Dr. Waters. Again, no questions were forthcoming, and Ms. Condill moved approval. That motion was seconded by Ms. Phillips and carried unanimously.

2025-2034 State Historic Preservation Plan

Following up on the Commission's introduction to an initial draft of the 2025-2034 State Historic Preservation Plan presented at the September NCHC meeting, Ms. Bartos presented to the commissioners the final draft, which included recommendations from reviewers, including Commissioner Condill. Commissioners were given the opportunity to review this final draft in advance of today's meeting. Ms. Bartos thanked Ms. Condill for her contributions and asked her to summarize the change she asked to be made for the benefit of the other commissioners. Ms. Condill noted a correction in language pertaining to the Native American Graves Protection and Repatriation Act, particularly the correction of a couple of federal definitions. The example she cited was correcting the term "item of patrimony" to "object of patrimony." Noted Ms. Bartos, while not a substantive change it is important that the terminology is accurate.

With no additional questions, comments, or concerns, Ms. Bartos asked the Commission to accept the final draft of the plan with the caveat that SHPO staff be given permission to amend the report as outlined without further review from the NCHC, after which time the report will be submitted to the National Park Service. Commissioner Groome moved approval and Commissioner Johnson seconded the motion, which was carried by unanimous vote.

Africa to Carolina Public Art Installation at Brunswick Town/Fort Anderson State Historic Site

Ms. Lanier brought the commissioners up to date on the public art installation project at Brunswick Town/Fort Anderson State Historic Site, the idea of which was first presented to the Commission in 2023. She summarized the project's history timeline, noting that since its inception the project was

funded by a grant from the Z. Smith Reynolds Foundation in the amount of \$219,000. The project will serve to recognize the site as one of several disembarkation locations for over 2,000 enslaved people brought to North Carolina from Africa. The project, a joint venture of the DSHSP and the North Carolina African American Heritage Commission (NCAAHC), incorporated several listening sessions to offer members of the public the opportunity to comment on it. Ms. Lanier directed the commissioners' attention to written and illustrative depictions of what the design currently looks like. She noted that while the design of the installation is not yet finalized, the parties need approval by the NCHC of the "footprint" of the design to meet the criteria set forth by the funders of the project so that it may move forward.

There was a conversation about the design, which met with general appreciation from the commissioners. Several commissioners commended its interpretive nature and expressed hope that it would be a place for "reflection." Importantly, it was expressed that the design does not detract from the context of the historic site.

At the chair's request Mr. Feagan summarized the Commission's role in the request put before it. The placement of any memorial at Brunswick Town/Fort Anderson, it being state property, requires approval by the NCHC. Noting Ms. Lanier's comment about the non-final state of the design, Mr. Feagan stated that the Commission could approve the footprint and general design as long as there aren't any major changes to the design aspects that the commissioners had a chance to review prior to today's meeting. Dr. Johnson said her understanding is that some of the wording proposed on the design could change. Dr. Lee asked for more details about the design process and Ms. Rodrigues provided information about the artists, how design aspects were selected, what those aspects mean, and offered more details about community feedback.

Mr. Ruffin said that he would like the DSHSP and NCAAHC to bring the design back to the NCHC once it has been finalized.

Ms. Snowden made a motion to approve the footprint and general concept of the design as presented, acknowledging that the artists may make slight changes. Her motion included the caveat that the final design be brought back to the Commission, at which time final approval may be given. The motion was seconded by Dr. Dennard and carried.

N.C.G.S. § 121-12(a) Matter – The Durham School of the Arts

Ms. Bartos addressed the Commission on behalf of the State Historic Preservation Office (HPO). While the Durham School Board's decision to relocate the current Durham School of the Arts from downtown Durham to a new location—under N.C.G.S. § 115C-521—does not fall under the purview of the state, its proposed relocation does trigger N.C.G.S. § 121-12(a) review by the HPO as it currently stands within the National Register-listed Trinity Historic District. The HPO's interest in the matter, she said, is limited to what is to become of the historic current school building. Any comments from the HPO to the school board are advisory only and neither the HPO nor the NCHC holds any statutory authority regarding actions by the school board.

Ms. Bartos cited a memorandum that she drafted and shared with the commissioners that summarized the matter and laid out the recommendations and proposals that the HPO would ask

the school board to follow regarding the disposition of the current school buildings. Those recommendations were:

1. Secure and mothball all the Durham School of the Arts buildings to ensure that they are protected from vandalism and other threats that could endanger their stability and future rehabilitation.
2. That the sale and/or transfer of the Durham School of the Arts to another entity include historic preservation covenants that require:
 - a. the rehabilitation of the school's buildings in accordance with the *Secretary of the Interior's Standards for Rehabilitation*.
 - b. That any new construction within the old school's campus be compatible with the size, scale, and massing of neighboring buildings within the Trinity National Register Historic District to avoid adversely affecting the historic district.

The request to the NCHC, stated Ms. Bartos, would be to issue its own recommendations, if any, which would be relayed to the Durham School District by the HPO.

There was discussion about potential uses of the old school campus. Mr. Reynolds emphasized that adaptive reuse of old structures is becoming common, and he hopes that the school district will seek out buyers for the old campus who believe in this approach. Ms. Bartos confirmed that the HPO's recommendations would include this recommendation.

Dr. Dennard moved that the NCHC endorse the HPO's staff recommendations and relay them to Durham School Board in the form of a letter. This motion was seconded by Ms. Phillips and carried.

MosaicNC

Ms. Hatten introduced the commissioners to MosaicNC, a digital publishing venture of the OAH, which is produced out of the Historical Research Office. The primary charge of MosaicNC is to digitally publish exhibits on various special, historical topics as well as serve as a place to publish future installments of two long-running projects of the Historical Publications Office, the *Colonial Records of North Carolina* and the *Governors' Papers Project*. The aim of MosaicNC is to provide free and open access to the work of the OAH for the educational benefit of present and future generations of North Carolinians.

Ms. Hatten walked the Commission through the MosaicNC website and how researchers and the public can access 11 different "exhibits" of North Carolina history spanning the period from the 1600s to the 20th century. It includes among many other things original documents and the translations of those documents side-by-side; over 3,000 have been transcribed to date. As well, over 6,400 biographies have been created of historical figures in state history. The commissioners concurred that it is a very impressive endeavor.

Periodic Review of Administrative Rules

Mr. Feagan explained that the operations of state governmental agencies are run in part under the guidance of technical, administrative rules. He noted that the NCHC is, with some exceptions, the rule-making body of the DNCR. He also noted that the DNCR is in the first step of a 10-year administrative rule review, and that any suggested changes by DNCR personnel must be approved by the Commission. Mr. Feagan then introduced Jonathan Avery, who in addition to being a DNCR Assistant General Counsel, is the department's Rules Coordinator. It is his role to help guide the DNCR and its boards and commissions through the periodic rules review process.

Mr. Avery directed the commissioners to the written version of the PowerPoint presentation he launched, a copy of which was made available to the commissioners in advance of the meeting. He began by defining an administrative rule as "any agency regulation, standard, or statement of general applicability that implements or interprets an enactment of the General Assembly or Congress, or a regulation adopted by a federal agency or that describes the procedure or practice requirements of an agency," as set forth in N.C.G.S. § 150B-2 (8a). This includes the establishment of a fee and the amendment or repeal of a prior rule. Mr. Avery went on to describe in basic terms the North Carolina Administrative Code, its applicability to the DNCR, the rule-making process, the periodic rule review process, the steps taken for each agency to review its rules, and the rule classification system, as well as definitions of rules as being "necessary" or "unnecessary."

With this background established, Mr. Avery then directed the commissioners to the list of administrative rules pertaining to the sections of the DNCR for which the NCHC has rule-making authority. Each of the 126 rules on the list included the rule citation, the rule name, the agency determination of the rule being "Necessary" or "Unnecessary," whether each rule is required to implement or conform to federal regulation, and, if applicable, to which federal regulation citation the rule is applicable. The deadline for submission of the proposed initial rule classifications is May 2025, as approved by division directors and subsequently by the NCHC. The public will have the opportunity to comment on the proposals. Finally, he described briefly the rules adoption process. Ultimately, he explained, the proposed final rules will come back before the Commission for final approval.

Mr. Avery and Mr. Feagan addressed a couple of questions from Ms. Phillips and Mr. Reynolds about why some of the rules are deemed by staff to be unnecessary. They also addressed a question from the chair about how public comments are responded to.

Mr. Reynolds made a motion that the Commission approve the proposed rule changes as adopted by staff. The motion was seconded by Dr. Johnson and carried by unanimous vote.

Update by the NCHC Advisory Committee on Public History (ACPH)

The chair of the public history advisory committee, Mr. Reynolds, provided a report on the activities of the ACPH. He recapped the establishment of the committee and outlined the three goals that the committee was charged with accomplishing: to review the charter and mission of the NCHC; to assess the NCHC's current role in promoting the importance of North Carolina history as a resource for the people of North Carolina, in conjunction with the DNCR; and to recommend actions that the commissioners and DNCR staff can take in partnership across the state to further promote the historical resources of our state and enhance the public's appreciation for and

utilization of state historic sites, state history museums, and other state resources to promote a life-long love of learning.

Reading from an outline that he handed out at the start of the meeting, Commissioner Reynolds recited recommendations of the ACPH to the Commission, as adopted by the committee at its last meeting, held on November 20.

1. The ACPH recommends that the Commission adopt the following strategic mission statement:

“The North Carolina Historical Commission shall create an initiative to encourage K-12 students and faculty, university level students and faculty, and the general public to utilize state historic sites, state history museums, and other state resources to promote a life-long love of learning.”

2. The committee recommends that the Commission develop communications and outreach strategies to connect K-12 students and faculty, university level students and faculty, and the general public with the DNCR and the Commissioners of the NCHC.
3. The committee recommends that the Commission adopt the following three tactical recommendations in order to support its strategic mission statement and its communications and outreach strategies outlined above:
 - a. That the OAH develop a curated resource that centralizes information about upcoming activities and events being offered by divisions of the DNCR and make it available in a regular and timely fashion to the commissioners of the NCHC to make them aware of upcoming opportunities they may advocate for on behalf of the department and its activities. Furthermore, until this first tactical step is taken, the committee believes that the NCHC will be unable to move forward effectively to advocate for the importance of learning and understanding public history.
 - b. That each commissioner develop and share with the DNCR staff, on a voluntary basis, their personal profiles and specific interests in history and the work of the DNCR such that staff may better understand what those interests are and make individual commissioners aware of specific activities and opportunities in which they may choose to become more involved.
 - c. That the Commission develop multiple fundraising strategies and find definitive ways to further support DNCR initiatives and complement existing funding sources such as the DNCR Office of Education’s field trip fund for educators, the OAH DAR’s ‘Docs in a Box’ program, and *Friends of the Museums* initiatives.

Mr. Reynolds highlighted the committee’s emphasis on such efforts being a joint effort between the staff of the OAH and the Commission. He stated his belief that the spirit of these recommendations places more onus on the commissioners themselves to help bridge the gap between department staff and the public by getting out into the communities and making the work being done by staff more widely known about and appreciated.

Dr. Johnson offered a suggestion to the committee that it add ‘state heritage commissions’ to the list of resources contained in the strategic mission statement the committee recommends that the Commission adopt. That makes the strategic mission statement read:

“The North Carolina Historical Commission shall create an initiative to encourage K-12 students and faculty, university level students and faculty, and the general public to utilize state historic sites, state history museums, state heritage commissions, and other state resources to promote a life-long love of learning.”

Mr. Reynolds thanked Dr. Johnson.

Ms. Koonts reported that a new universal calendar for the activities of the department is in development by the DNCR and expressed her hope that it be up and available by the next meeting of the NCHC. Since the calendar will permit filtering—to focus on OAH events specifically, for example—it should meet the need that the ACPH cites as being critical to the Commission and the commissioners making substantive strides forward in their advocacy work.

In summary, Mr. Reynolds asked the Commission if it would like the ACPH to continue its work. He received a response in the affirmative. The committee, he said, will then meet again in the spring and report back to the Commission at a subsequent meeting.

Lunch Break

The Commission paused the meeting for lunch from 12:00 p.m. to 12:34 p.m.

Request to the NCHC from the Department of Administration

Dr. Waters referred the commissioners to a packet of materials handed out to them immediately prior to the meeting, that they had a chance to review during a dedicated pause for that purpose just prior to lunch. The packet included a request from the North Carolina Department of Administration (DOA) to the NCHC to approve the transfer of management into the state’s historical collection—via accession—three confederate monuments and the contents of a monument cornerstone box that in 2020 were each removed from the grounds of the State Capitol, known as Union Square. As items that had resided on Union Square, the monuments have been under the management and care of the DOA, which serves as the caretakers of and the party responsible for state buildings and other permanent physical state property. The request from the DOA included written justification for the request, a detailed description of the items in question, including a complete inventory of the contents of a cornerstone box, a detailed description of the provenance of the items, a description of the current condition of the items, and factors to consider moving forward regarding storage, care for, and conservation of the items.

The packet of information also included a memo from Deputy Secretary Waters that detailed the background of the monuments, summarized the events that led to their removal from Union Square, and summarized a 2017 request by the DOA to the NCHC that it determine the appropriate status of state-owned monuments as it pertained to N.C.G.S. § 100-2, as well as a request to the NCHC to determine whether the monuments were appropriate for accession, exhibit, or study pursuant to N.C.G.S. § 121-7. Finally, Dr. Waters’s memo outlined OAH staff recommendations, namely that the Commission accession the remaining components of the three confederate monuments as

artifacts within the permanent collection of North Carolina State Historic Sites. The memo justifies the reasons for this recommendation, including their significance and the importance of their preservation for study and potential exhibition, pursuant to the DNCR's statutory mission. As importantly, the belief that they can be used to interpret the history around the placement of the monuments and their integration into the interpretation of recent historical events. The floor was then opened for discussion.

A main point of discussion centered around the disposition of the monuments. There was a consensus that should they be accessioned, they not be relocated to individual state historic sites for reasons put forth in the staff recommendations, reasons both practical and historical. There was also a great deal of support for staff following the plan to attach interpretive signage to the monuments moving forward, as original plans called for going back many years. Ms. Lanier, being director of the DSHSP, assured the commissioners that the division's curatorial team would give very careful consideration to interpretation, should the day come that warrants it. Dr. Johnson strongly recommends that an external committee made up of non-DNCR staff work with the DNCR's curatorial team on interpretive language.

Another main point of discussion pertained to language in the staff recommendations that opens the door to loaning the items to outside institutions for display. The commissioners were not opposed to this possibility but agreed with Dr. Johnson that any such loan would have to have attached to it the condition that only the interpretive signage developed by the OAH be displayed with the item. Mr. Feagan noted that any interpretive language would certainly be written by OAH staff. Ms. Lanier stated that conditions placed upon items to be loaned to outside institutions are almost limitless but noted that there is no requirement that the items ever be loaned out at all.

On the question of the loan of the monuments to other sites, Dr. Johnson solicited the thoughts of Commissioner Emerita Bryan, since she has been closely involved with the redevelopment of the Museum of the Cape Fear in Fayetteville into the North Carolina Civil War, Emancipation & Reconstruction History Center. Dr. Bryan noted that the museum was given the opportunity to take the monuments during discussions about relocating them from Union Square but that the museum made it clear to DNCR senior management that the Reconstruction History Center, then in its planning stages, did not want them relocated there. Mr. Feagan noted that the proposal in front of the Commission to accession the monuments into the permanent collection would take the relocation option out of play.

Dr. Dennard moved that the NCHC accept staff recommendations to accept the transfer of the confederate monuments from the possession of the Department of Administration into the possession of the Division of State Historic Sites and Properties, and to accept the DOA's offer to physically transfer the artifacts into the DSHSP's possession. The motion was seconded by Ms. Snowden. The motion was carried with Dr. Johnson casting a 'nay' vote.

Ms. Phillips then moved that the NCHC approve the accessioning of the artifacts into the collection of the DSHSP. The motion was seconded by Dr. Dennard and carried by unanimous vote.

Finally, Dr. Johnson made a motion that DNCR staff create interpretive guidelines and develop a process whereby the outside community has input as part of any future loan requests. The motion was seconded by Mr. Reynolds and unanimously carried.

Deputy Secretary's Report

Dr. Waters thanked his staff for all that they do. He cited the written division directors reports for updates on the work that each division has been involved in. He updated the commissioners on renovations to the MOH. He noted that the museum proper has been closed to the public as the intensive work to remove and story exhibits, artifacts, and staff has begun. The gift shop will remain open in advance of Christmas but on March 30 the museum will close completely for the three-year, \$180 million project. He also noted that management has restructured the division in a way that will emphasize to a greater degree western North Carolina. Finally, he noted that the nationwide search for a new permanent director of the DSHM is concluding.

Dr. Waters then ceded the floor to Dr. Bryan who updated the Commission on the progress of the North Carolina Civil War, Emancipation & Reconstruction History Center. She reported that the pavilion has been built and the groundbreaking for the main building has taken place. The planning committee will be sending exhibits out soon for bids. The hope is that the history center will open in two to two-and-a-half years.

Chair Announcements

Mr. Ruffin stated his belief that the NCHC needs to hold more regionalized meetings, perhaps one in the east and one in the west each year. He invites commissioners to by the end of January share with him and Dr. Waters their thoughts on out-state locations for Commission meetings. He said that dates for the 2025 meetings, normally set during the December meeting, will be conveyed to everyone by the end of January.

Mr. Ruffin concluded by noting the passing on December 13 of coastal geologist Duke Professor Orrin Pilkey, who was instrumental in the relocation of the Cape Hatteras Lighthouse. He asked that the meeting minutes reflect the NCHC's recognition of Professor Pilkey and his contribution to the state's coastal history.

Adjournment

Commissioner Dennard moved adjournment of the meeting. The motion was seconded by Commissioner Snowden, and the meeting was adjourned at 1:49 PM.

Respectfully submitted,

*[A final, post-edit version will be
presented for a signature]*

Darin J. Waters