

North Carolina Historical Commission

Conference Call Minutes

September 21, 2022

Archives and History/State Library Building Raleigh, NC

The North Carolina Historical Commission (NCHC, Commission) met in the third-floor conference room in the Archives and History/State Library Building in Raleigh on Wednesday, September 21, 2022. The following commissioners were in attendance: David Ruffin, Chair; Dr. Mary Lynn Bryan; Shana Bushyhead Condill; Dr. David Dennard; Samuel B. Dixon; Barbara Groome; Dr. Valerie A. Johnson; and Barbara B. Snowden. Absent were commissioners Newell Clark, W. Noah Reynolds, and Susan Phillips.

Others in attendance were: Dr. Darin Waters, Deputy Secretary for Archives and History, North Carolina Department of Natural and Cultural Resources (DNCR); Ramona Bartos, Director, Division of Historical Resources (DHR); Sarah Koonts, Director, Division of Archives & Records (DAR); Michelle Lanier, Director, Division of State Historic Sites & Properties (DSHSP); Ken Howard, Director, Division of State History Museums; Angela Thorpe, Director, North Carolina African American Heritage Commission; Jeff Michael, Deputy Secretary for Natural Resources; Phil Feagan, General Counsel, DNCR; John Mintz, State Archaeologist; Lindsay Ferrante, Deputy State Archaeologist; Emily McDowell, Assistant State Archaeologist; Melissa Timo, Staff Archaeologist and Historic Cemetery Specialist; Carl Burke, Site Manager, Historic Halifax State Historic Site; Sarah Lowry, Principal Investigator for archaeological consultants New South Associates; Parker Backstrom, OAH administrative assistant and Recording Secretary of the NCHC; and David Winslow, consultant for the North Carolina Civil War & Reconstruction History Center in Fayetteville.

Copies of all cited written materials can be found in the file for this meeting.

Call to Order and Conflict of Interest Statement

Chairman Ruffin called the meeting to order at 10:03 AM and welcomed those in attendance. He noted that this was the first in-person meeting of the NCHC since October 2019. Mr. Ruffin called roll to establish the presence of a quorum. Their having had a chance to examine the meeting agenda in advance, the chairman asked the commissioners whether any had a known or perceived conflict of interest with respect to any of the items of business slated for discussion. No such concerns were voiced.

Approval of Minutes

Ms. Snowden moved approval of the minutes from the June 22, 2022, regular meeting of the NCHC, as written. The motion was seconded by Dr. Bryan. With no discussion the motion was voted upon and carried unanimously.

Request for Placement of Plaque at House in the Horseshoe State Historic Site

On behalf of the DSHSP and citing written materials provided to the commissioners in advance of the meeting, Ms. Lanier asked the commissioners to approve a proposal to place a plaque commemorating the contributions of a chapter of the Daughters of the American Revolution (DAR) to the maintenance of the House in the Horseshoe State Historic Site. Ms. Snowden stated while she is not opposed to the contributions of the group being recognized, she is uncomfortable with the inclusion of a defined monetary figure in the language proposed for the plaque. Mr. Feagan reminded the commissioners that the NCHC's authority allows it to establish whatever criteria or conditions it wishes on language in signage or memorialization proposed for placement on state property. Ms. Snowden then moved approval of the proposed placement of the plaque pending removal of the dollar figure. This motion was seconded by Dr. Johnson. During a brief discussion period Dr. Dennard read out the language, omitting the dollar figure. His summary was concurred with by the other commissioners, so Ms. Snowden's motion went to a vote. The motion was thereby passed unanimously. Ms. Lanier said she would communicate this change and the vote result to the DAR.

Report from the Office of State Archaeology

Dr. Waters introduced Mr. Mintz, who provided an overview of the myriad work being undertaken by the Office of State Archaeology (OSA). Mr. Mintz began by highlighting some of the work of the Underwater Archaeology Laboratory at East Carolina University in Greenville. He described conservation work that continues on artifacts recovered from the *LaConcorde/Queen Anne's Revenge* shipwreck, including work just completed on two cannons that will soon be transferred to the Maritime Museum at Beaufort for display. Interns working at the lab have really ramped up outreach by producing blog and Facebook posts documenting their work which have been seen, he said, by many thousands of people, both nationally and internationally.

Mr. Mintz reported on the retrieval several years ago and the initiation of conservation work on a historical, 24-foot-long dugout canoe discovered in Lake Waccamaw once belonging to the Waccamaw Siouan tribe. It will soon be transferred to the Waccamaw Siouan for a powwow that the tribe will be holding in October, after which it will be moved to the University of North Carolina-Pembroke for completion of the conservation work. A second canoe was also found at Lake Waccamaw and that one will be given to the Waccamaw Siouan when conservation work is completed.

Mr. Mintz then recognized Melissa Timo who talked a little bit about the Historic Cemetery Program. She described the major facets of the program and how the team has worked to consolidate a broad spectrum of records under a single umbrella to better serve the DNCR, other state and federal agencies, researchers, communities, and descendants. This has included digitizing and mapping of archived cemetery survey records and the transcribing of demographic and historical information.

Next, Mr. Mintz introduced Ms. Lowry and Mr. Burke who were excited to report that after years of exhaustive research, supported by intense on-site examination, including the use of ground penetrating radar, it appears that the footprint of original, 1760 Halifax Courthouse, as well as the boundaries of the original town lot, have been discovered at Historic Halifax State Historic Site. This structure is significant because it is the most likely site of the ratification of the Halifax

Resolves on April 12, 1776, as well as the likely site of the first public reading of the Declaration of Independence in North Carolina on August 1, 1776. Maps of the site were shared with the commissioners in a document distributed prior to the meeting. These findings can be parlayed into education and outreach opportunities, including but not limited to reenactments of these historical events at the actual sites where they took place.

Mr. Mintz concluded by describing the work the OSA is doing to ensure compliance with the Native American Graves Protection and Repatriation Act (NAGPRA). This primarily involves the repatriation of Native American remains that are in the state's possession to federally recognized Native American tribes for proper burial. In response to a question from Dr. Johnson, there is currently no similar legislation for state-only recognized Native American tribes. Mr. Feagan did assert that there are state statutes that deal generally with archaeological finds, including the remains of Native Americans, and Ms. Bartos added that under NAGPRA there are avenues that address circumstances in the case of tribes not recognized on the federal level. Any such resolutions may come into play as the scope of the OSA's work transitions from the western part of the state, where the federally recognized Eastern Band of the Cherokee Tribe resides, toward the eastern part of the state, where state-only recognized tribes, such as the Waccamaw Siouan and Meherrin tribes, reside.

Accessions and Deaccessions of Items in State Collections

Items recommended for accessioning into the collections of the North Carolina Museum of History in Raleigh, the Mountain Gateway Museum, the Museum of the Albemarle, the North Carolina Maritime Museums, and the DSHSP—as summarized in an annotated list sent to the commissioners in advance of the meeting—were presented as a single slate for a vote. No questions pertaining to the items put forth by the Office of Archives and History Collections Committee (OAHCC) were forthcoming, so Dr. Dennard moved acceptance of the OAHCC's recommendations. This motion was seconded by Ms. Groome and was carried by unanimous vote.

Items recommended for deaccessioning out of the collections of North Carolina Museum of History in Raleigh, the North Carolina Maritime Museums, and the DSHSP—also summarized in the aforementioned annotated list—were then presented as a single slate for a vote. Mr. Dixon moved acceptance of the OAHCC's recommendations and Dr. Bryan seconded the motion. With no discussion, a vote upon the motion was taken and the motion to approve the deaccessions was carried by unanimous vote.

Deaccession of Items from State Archives

As mandated by statute, items recommended for deaccessioning from the State Archives were dealt with separately. Ms. Koonts directed the commissioners' attention to the written summaries of eight sets of records that she asks the NCHC to approve for deaccessioning. These summaries describe not only the types of records but explains the rationale for their deaccessioning and the process by which they will be deaccessioned. No questions or discussions were forthcoming, so a motion to approve staff recommendations was put forth by Ms. Snowden and seconded by Ms. Condill. The motion was carried by unanimous vote.

Reports from Division Directors

Chairman Ruffin ceded the floor to Dr. Waters who asked the OAH division directors to introduce themselves for the benefit of the newest commission members and all others in attendance, and to offer a few highlights of activities, achievements, and issues within their respective divisions since the last Commission meeting. These brief reports drew from more expansive written reports each had produced in advance of the meeting, copies of which were sent to the commissioners for their review.

Division of State Historic Sites and Properties – Ms. Lanier reported that staff just concluded a productive, division-wide summit, which hadn't been done since 2018. The division also just completed its comprehensive strategic plan as well as oversaw the recent formation of a 501(c)(3) support group called the North Carolina Historic Sites Alliance, based in Pinehurst. Finally, she noted that Fort Fisher State Historic Site just surpassed the 1 million visitor mark, a first for any of the division's historic sites.

Division of Historical Resources – Ms. Bartos described for the commissioners' benefit the varied sections within her division—the Office of State Archaeology, the Historic Preservation Office (HPO), the Historical Research Office, and the Western Office, located in Asheville—and the broad spectrum of work they undertake on behalf of the citizens of North Carolina. For example, she noted that there are three historic cemetery projects underway in the OSA. She also reported that the HPO fielded over 2,000 constituent inquiries in 2021.

Ms. Condill interjected that as the only federally recognized Native American tribe in the state, the Eastern Band of the Cherokee has tribal historic preservation and archaeological staff who remain busy. She expressed her appreciation at the collaboration between tribal staff and the state's HPO and OSA.

Ms. Bartos noted that a recent spate of “generational” retirements has added to the growing number of staff vacancies, a situation that is being felt not only in her division but across other divisions within the DNCR and the whole of state government. A general conversation ensued about the growing difficulty of recruiting and retaining well-qualified employees given the generally below market value remuneration offered by state agencies, compared to similar positions in the private sector. The issues are exacerbated by a hiring system that doesn't take into account the complexities of adequately compensating people with the multi-interdisciplinary skills, which is required in many of the positions within her division. Mr. Ruffin noted that among the many effects of the COVID-19 pandemic on our society, salary inflation is among the most insidious. It has had an amplifying, negative effect on job markets across all industries, but has had an especially damaging effect on governmental agencies given the difficulty that sector has in adjusting to market factors. The chairman noted that the NCHC really needs to stand on this issue and make it clear to those with the power to affect change that there will be a large price to pay down the road if the state continues to lose its talent.

Dr. Waters expressed his belief that there is an opportunity to influence the conversation taking place inside the academy to bridge the gap between STEM (science, technology, engineering, and math) and the humanities, in particular the teaching of public history and the development of public historians. During his tenure as chairman, said Mr. Ruffin, the NCHC has largely been reactive to whatever is brought to it. He challenged both members and staff to find ways to be more proactive in support of the issues being discussed. Dr. Johnson stated that as a dean at the university level there is a limited amount she can do to influence change at that stage. Rather, she advocated

bringing superintendents of local school districts into the conversation because the K-12 realm—in conjunction with local and state government support—is where the setting in place of the humanities structure needs to start. Ms. Snowden stated that she fears the teaching of history is in the “crosshairs,” and that supporters need to be more vocal in standing up for the teaching of public history in classrooms, as well as acknowledging, valuing, and defending those who teach “correct” history. She suggested that the NCHC might consider drafting a statement in support of these positions, one that defines the importance of tying the present together with the past and the future, that defines the value in children learning about history, and that lays out the consequences of not doing so. Dr. Waters noted that 2023 will mark the 120th anniversary of the creation of the North Carolina Historical Commission and suggested that the NCHC might mark this milestone by issuing a public statement laying out its positions.

Division of Archives and Records – Ms. Koonts addressed the Commission, citing her written report. Highlights she touched upon included describing the two main “branches” of the division, the State Archives and the Government Records section. The former, she said, includes a collection of private papers, which not all state archives curate. Staff in the division continue to expand outreach in service to communities and individuals. This includes continued development of educational tools such as traveling exhibits and partnering with entities such as the Museum of Natural Sciences and the North Carolina Symphony to create programming, as well as developing library kits for school children across the state.

Ms. Koonts also gave a brief update on the America250th initiative that she is overseeing for North Carolina. Dr. Johnson and Ms. Condill asked her to talk about how to resolve interactions between those communities celebrating America250th and those communities that do not, such as the Cherokee Tribe. Ms. Koonts said the America250th Committee recognizes that dichotomy and is planning to include the North Carolina African American and American Indian heritage commissions in the discussion, as well as parties—such as certain state historic sites—who might be able to give a voice to others who may not have supported the American Revolution. The goal from the start has been to portray a complete history of events, being as inclusive as possible. Ms. Koonts emphasized that this effort is being portrayed as a commemoration, not a celebration.

Division of State History Museums – Mr. Howard provided an overview of the structure of the division, with its main museum in Raleigh, its three maritime museums, and “satellite” museums in other parts of the state, including in Fayetteville and Old Fort. Like Ms. Bartos, Mr. Howard emphasized issues involving staffing and pay discrepancies. He also discussed new facilities planned for Gallant’s Channel in Beaufort and touched upon the continued discussion about expansion and renovation of the MOH in Raleigh. Additional details about these subjects and others, he said, are covered in the written report sent to the commissioners in advance of the meeting.

African American Heritage Commission – Chairman Ruffin recognized Angela Thorpe, director of the African American Heritage Commission (AAHC), who provided an overview of that august group. She noted that the AAHC is supported by a staff of only two people—she and Adrienne Nirde—and expressed hopes that their staff might soon be expanded. Ms. Thorpe also took a moment to inform the Commission about the recent creation of the American Indian Heritage Commission, which is directed by Kerry Byrd.

Introduction of Jeff Michael, Deputy Director of the Division of Natural History

Dr. Waters introduced Mr. Michael, who was sitting in on the NCHC meeting. Mr. Michael described his role and summarized the many facets of his division, emphasizing the collaboration and important partnership between the state's natural and cultural resources. He expressed his belief that "synergies" between what each can bring to the other do exist, such as between state parks and state historic sites.

Update on Departmental Litigation

Mr. Feagan offered a brief update on several legal cases that impact the work of the NCHC and the DNCR.

He reminded the NCHC that a couple of years ago it was named as a defendant in a case brought by the Sons of Confederate Veterans in Pasquotank County pertaining to the removal of a confederate statue in Elizabeth City. That the matter remains stayed by the Pasquotank County Superior Court until an unconnected matter pertaining to a similar issue in Winston-Salem can be decided through a ruling in the North Carolina Supreme Court. Oral arguments in that case went before the court a few weeks ago and the department is awaiting the decision. Once that ruling is issued DNCR legal counsel will return to Pasquotank County Superior Court with the hope of getting the suit against the NCHC dismissed.

In a legal matter involving the DNCR and the *Queen Anne's Revenge* shipwreck (QAR), plaintiffs are claiming in business court that they have suffered over \$600 million in damages due to actions by the DNCR. The department is awaiting a ruling on its motion to dismiss the case. Until then, everything the department does involving the QAR must undergo in-house litigation review before it can move forward.

Finally, a federal copyright case involving different plaintiffs involving the QAR went before the United States Supreme Court, which ruled in favor of the DNCR. The plaintiffs then filed an appeal in the 4th Circuit Court of Appeals in Raleigh and that case is ongoing.

Concluding Thoughts

Chairman Ruffin wrapped up the meeting by sharing some thoughts.

He reminded the commissioners that the NCHC will next convene at 10:00 A.M. on Wednesday, December 7, 2022. He also opined that the NCHC is a perfect example of having diverse voices at the table. He stated that it will be critical that the Commission have total diversity as it moves forward more assertively in support of the issues discussed earlier. Given what is a growing urban/rural divide, not only in North Carolina but across the country, the Commission will have to be especially sensitive to reaching out to rural communities to ensure that they have a seat at the table.

Adjournment

With business concluded a motion to adjourn was put forth by Mr. Dixon and seconded by Dr. Dennard. The motion was carried, and the meeting concluded at 12:30 PM.

Respectfully submitted,

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

Darin J. Waters

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