

# North Carolina Historical Commission

## Zoom Virtual Meeting Minutes

June 23, 2021

The North Carolina Historical Commission (NCHC, Commission) met via Zoom conference call on Wednesday, June 23, 2021. The following commissioners were in attendance: David Ruffin, Chair; Dr. Mary Lynn Bryan; Mayor Newell Clark; Dr. David C. Dennard; Samuel B. Dixon; Dr. Valerie A. Johnson; Susan Phillips; W. Noah Reynolds; and Dr. Darin Waters. Commissioner Barbara B. Snowden was present to observe, but technical difficulties prevented her from actively participating.

Staff members of the North Carolina Department of Natural and Cultural Resources (DNCR) in attendance included: Sarah E. Koonts, Acting Deputy Secretary of the DNCR, Director of the Office of Archives and History (OAH), and Secretary of the NCHC; Phil Feagan, General Counsel, DNCR; Michelle Lanier, Director of the Division of State Historic Sites and Properties (DSHSP); Elizabeth Reighn, Curator, DSHSP; Angela Thorpe, Director, North Carolina African American Heritage Commission (AAHC); Parker Backstrom, OAH administrative assistant and Recording Secretary of the NCHC; and Matt Zeher, video producer for the DNCR, who facilitated the transmission of the video conference call.

Also in attendance was Karen Blum, Special Deputy Attorney General, North Carolina Department of Justice, and General Counsel to the NCHC in matters dealing with the relocation or removal of Confederate monuments.

### **Call to Order and Opening Remarks**

Chairman Ruffin called the meeting to order at 2:02 P.M. He called roll and noted that a quorum was present.

### **Conflict of Interest Statement**

Mr. Ruffin asked each Commission member, their having had a chance to review the agenda in advance of the meeting, whether any might have a real or perceived conflict of interest pertaining to the business that would come before the Commission this day. No such concerns were voiced.

### **Resignation of Commissioner Lowery**

The chair announced that Commissioner Dr. Malinda Maynor Lowery had recently accepted a position on the faculty of Emory University and had therefore tendered her resignation from the NCHC. He thanked Dr. Lowery for her contributions during her tenure.

### **Approval of Minutes**

Chairman Ruffin asked whether anyone had any changes he or she wanted to be made to any of the sets of minutes made available to them for review in advance of today's meeting, those for the

meetings held on May 5, 2021, May 18, 2021, and May 19, 2021. Hearing no requests for changes, Dr. Dennard moved acceptance as a single slate, the motion seconded by Dr. Bryan. Upon a roll call vote, the minutes were accepted as written unanimously.

### **Request for Placement of Memorial Marker at the House in the Horseshoe State Historic Site**

Ms. Lanier addressed the Commission, referring them to written materials, photographs, and maps sent to them for their review in advance of the meeting, copies of which are contained in the meeting file. She noted that the request by the Private John Grady Chapter of the Daughters of the American Revolution (DAR), to place a three-foot by two-foot brass plaque on the grounds of the historic site, was directed to DSHSP West Region Supervisor, Jennifer Farley, rather than to the NCHC. She also noted that the group had the plaque designed and fabricated prior to seeking approval from the NCHC, as is required. The text of the marker and production of the plaque was facilitated by a former House in the Horseshoe support group that is no longer affiliated with the site.

Ms. Lanier recognizes that protocol for approval of the placement of this marker was circumvented—a party is asked to seek approval from the NCHC for the design, language, materials, and installation site during the planning stages. However, given the indisputable contributions the group made to the site, as well as the undoubtedly consequential cost associated with the production of the brass plaque, Ms. Lanier sought feedback from her staff at the site on possible options for installation. Staff felt that placement of the plaque somewhere in the interior of a building, rather than in the more prominent exterior location proposed by the DAR, might be a reasonable compromise. That said, Ms. Lanier acknowledged that approval by the Commission at this stage, given the circumvention of established procedure, could set a negative precedent.

Dr. Johnson expressed concerns about not only the process, but also about the text on the plaque, which addresses solely the amount of money spent by the former support group on renovations to the site and does not talk about the site itself or the history thereof. She fears that this would negatively affect the integrity of the site. Mr. Reynolds stated that while he is fully behind recognizing supporters, he echoed Dr. Johnson's concerns that because the Commission never had a chance to review the language in advance, he also does not feel that the plaque should be considered for placement at the entrance to the site, as proposed by the DAR. Both felt that if placed, it should be interiorly.

Mr. Ruffin asked whether this would potentially open up the memorial marker placement process to "sponsorships," requiring the NCHC to make decisions on questions such as from whom the contributions come, how much support money is required before a sign touting contributions is permitted, and things like that. Ms. Lanier said she could foresee such an issue arising, and emphasized that if approval for installation is granted, clear language should be issued within the ruling of the Commission making it clear to potential future supporters that there is a process that needs to be following regarding submissions to the NCHC prior to design and fabrication. Responding directly to another question from the chair, Ms. Lanier stated that she does not interpret the request by the DAR as a request directly to the historic site to request a variance to get around existing rules or protocols. Rather, she sees the DSHSP following its mandate to bring to the Commission requests for placement of signs with historical significance at state historic sites. In this situation, she would envision the NCHC either approving the request, denying the request, or approving the requests with caveats.

Mr. Backstrom interjected for the edification of the commissioners that there is already a clear and unambiguous set of protocols in place for the submission of plans for placement of signage and other memorials on state-owned property.

Pertaining to recognition of supporters, Mr. Reynolds asked Ms. Lanier what the standard practice currently is for recognizing donors. Ms. Lanier replied that no clear protocols are in place but noted that she, Ms. Koonts, and others in the department have been in discussions about drafting a set of protocols to address this issue.

Mr. Feagan asked Ms. Lanier whether the department has had a chance to review the proposal and its possible adverse effects to the site, which is a national register property, under N.C.G.S. 121-12(a). Ms. Lanier replied not yet, but that she would not normally ask for such a review unless and until the NCHC has given approval of the request by the DAR. Mr. Feagan clarified that his point is that the statutory responsibility of the Commission is to approve a monument or memorial before placement on state property, and that if staff don't feel its placement is appropriate then the question doesn't need to come before the Commission at all. Ms. Lanier reiterated that site staff are amenable to it being installed in an interior location, and that as she understands it that requires the approval of the Commission.

Mr. Dixon asked Ms. Lanier to confirm that she is asking for approval from the Commission for placement of the plaque in an interior space at the House in the Horseshoe to be determined by site staff. She confirmed this, adding that a reminder about the importance of following established protocols in the future should be simultaneously issued.

Dr. Dennard emphasized that the Commission should not do anything that would diminish the integrity of its role. He expressed his concern that the language in the original, October 16, 2020, letter from the DAR to Ms. Farley implies that the group feels that since it is "owed" placement of the plaque given its investment in the maintenance and repairs of the site, despite it not following the established approval process. If the Commission were to approve this request, he said, it would be sending the message that the process can be ignored and would result in a diminution of the integrity of the Commission. Dr. Johnson concurred with Dr. Dennard and stated that the commissioners need to remain consistent in how they approach such issues. In this case, the message should be that there is a process that must be followed, and if you do not follow the process, you do not receive approval. The commissioners agreed with Ms. Phillips' warning that to approve what is in essence a variance in this case would put the Commission in the position of deciding questions like those proffered by Mr. Ruffin—what level of donor money, what type of wording, and which groups would and would not deserve future variances. There is a process, and reasons for the process, she said, and the NCHC should adhere to the process and deny the request by the DAR.

Ms. Lanier assured the commissioners that it was communicated by the DSHSP to the parties involved in the request that the Commission was to have been consulted prior to the process commencing. However, she reiterated, the DSHSP was approached by the DAR about installation after the fabrication was complete, and it was at this point that staff communicated to the parties that protocols had not been followed. This was met with anger and resentment by the DAR and others because of the time and expense invested by them into the historic site. In response, Ms. Lanier agreed to present the request to the NCHC anyway and explore possibly finding "middle ground," recognizing that frontline staff may potentially receive backlash if the request is denied.

Mr. Dixon suggested that the Commission consider denying the request but suggesting the DAR could donate the plaque to the site, leaving it to staff to determine placement. Ms. Phillips followed by suggesting the Commission deny the request but express its appreciation for the contributions of the former support group and encourage the group to resubmit a proposal for a different plaque following the protocols that have already been established. Mr. Reynolds stated that for the NCHC to approve a proposal for location of this particular plaque anywhere on the site is to approve the wording of the plaque, and he does not approve of the wording.

Ms. Phillips moved that the request be denied, and that the organization be encouraged to follow the proper procedures that have been laid out in order to offer a different plaque for approval by the state and by the Commission. This motion was seconded by Dr. Johnson. Mr. Ruffin offered a friendly amendment to Ms. Phillips' motion—of which she approved—that there be an attached statement of appreciation issued by the Commission for the money that was donated in support of maintenance and repair of the House in the Horseshoe State Historic Site. Ms. Phillips tweaked her motion by rephrasing a portion of it to say that the NCHC is very appreciative of the DAR's contributions, but the NCHC it is required to follow procedures in order to be fair to everyone the Commission represents.

Chairman Ruffin rephrased Ms. Phillips' motion, with approval from Ms. Phillips, to read as follows: to deny the request as presented, with the understanding that it did not meet the procedures set forth to have monuments and plaques of this nature be considered by the NCHC; that the NCHC appreciates the efforts and monies that the donors contributed to the repair and rehabilitation of the property; and that the NCHC urges the DAR to resubmit its proposal to the NCHC, following the procedures set forth for such proposals.

A roll call vote on the motion and second was taken, and the motion was carried unanimously.

### **Accessions and Deaccessions from State History Museums and State Historic Sites**

Ms. Koonts offered a summary of the annotated list of items recommended by the OAH Accessions Committee (OAHAC) for accessioning into and deaccessioning out of state collections. A copy of this list, which was sent to the commissioners prior to the meeting, has been placed in the file for this meeting. She proposed presenting all accessions for the Museum of History (MOH), the Museum of the Albemarle, and the North Carolina Maritime Museums (NCMMs), as a single slate for approval, and subsequently the accessions for the DSHSP as a single slate for approval. With no discussion, Dr. Dennard moved approval of the recommendations from the OAHAC for the museums. The motion was seconded by Dr. Waters and carried on a unanimous roll call vote. Ms. Phillips then moved approval of the recommendations for state historic sites. That motion was seconded by Mr. Dixon and carried on a unanimous roll call vote.

For OAHAC-recommended deaccessions—from the MOH, the NCMM, and the DSHSP—Ms. Koonts offered an overview of the items and explained the proposed method of disposal. With no discussion, Dr. Johnson moved approval of staff recommendations as presented. Dr. Waters seconded the motion, and the motion carried on a unanimous roll call vote.

### **Deaccessions from the State Archives**

Ms. Koonts explained the different forms of custody it has over materials under its care: records residing in the archives under the Division of Archives and Records' permanent custody—those under both the physical and legal custody of the division—as well as records that are under the

physical custody of the division but not the legal custody. So, deaccessioning records may require transferring materials back to the creating agency “on paper,” while they physically remain in the state archives, or legally and physically transferring them back to the creating agency.

With that background in place, Ms. Koonts described the fifteen different groupings of records recommended for deaccessioning, in three series based upon method of deaccessioning. Descriptions of those records, the rationale for deaccessioning, and the proposed method of disposal, were made available to the commissioners in advance of the meeting and reside in the file for this meeting.

Ms. Koonts addressed questions about a couple of the series from commissioners. Both Dr. Johnson and Mr. Reynolds expressed concern about the proposed destruction of State Capitol guest registers. They both feel that there is some historical value in these records, despite the limited archival value, as described by Ms. Koonts, and they expressed a desire that those records be retained in some form rather than destroyed. While appreciating their perspective, Ms. Koonts noted that this set of registers is but one volume of four transferred to the archives by the Governor Holshouser Administration, with the other three volumes deaccessioned and destroyed upon approval by the NCHC in 1993. Therefore, based upon her understanding from staff that no one has ever requested access to State Capitol guest registers, their archival value is extremely limited. This perspective did not diminish the desire of commissioners Johnson and Reynolds that the records not be destroyed. In this case, Ms. Koonts offered as a possible option that this set of records be withdrawn for deaccession consideration so that further contemplation about prospective researcher interest can be debated by staff.

Dr. Johnson moved that staff recommendations for deaccessioning of archival records be approved as presented, with the exception of the Office of the Governor, State Capitol Guest Register records, which she asks be withdrawn from consideration. Mr. Reynolds seconded the motion, and the commissioners carried the motion on a unanimous roll call vote.

### **Report from the North Carolina African American Heritage Commission**

Mr. Ruffin recognized Ms. Thorpe who offered an abbreviated oral report about the activities and initiatives of the AAHC over the past year. A fuller, written report was provided to the commissioners prior to the meeting. Among the topics she reported upon were organizational updates—including introductions of new staff and commissioners—and fiscal and legislative updates—including funding for the AAHC in Governor Cooper’s proposed biennial budget.

She reported that the AAHC received funding from the William G. Pomeroy Foundation to develop and launch the North Carolina Civil Rights Trail, in partnership with the OAH. It has also received grants from the North Carolina Humanities Council, the National Park Service, and the Institute of Museum & Library Services to fund projects and initiatives including securing digital resources, education, and research. Finally, Ms. Thorpe reported on growing partnerships between the AAHC and national, regional, and local groups such as the Smithsonian National Museum of African American History & Culture, the Society of Black Archaeologists, the National Trust for Historic Preservation, the Virginia African American Heritage Taskforce, the South Carolina African American Heritage Commission, the Georgia African American Historic Preservation Network, and NC Growth/SmartUp.

Before concluding, Ms. Thorpe addressed some questions from Dr. Dennard about North Carolina Civil Rights markers and the aforementioned partnerships.

## **OAH Report from Acting Director Koonts**

Ms. Koonts offered an abbreviated report on recent activities within the Office of Archives and History. A fuller, written report was provided to commissioners prior to the meeting and is contained within the file for this meeting.

She highlighted the state senate's proposed biennial budget, which differs in several ways from that of the governor, as it relates to the OAH. The senate's budget does not include funding for America250 planning, for example, the *Queen Anne's Revenge* conservation lab, the Highway Historical Marker Program, the African American monument on Union Square, nor the ANChor program, the online history textbook for middle and high school students. The senate does propose funding for the Historic Preservation Tax Credit Program, the Graveyard of the Atlantic and North Carolina Maritime museums, the Thomas Day House, and much needed maintenance funds for the DSHSP. It also proposed funding an archives analyst position in the eastern office of the OAH, which has been sought by the OAH for many years.

Ms. Koonts reported that the DNCR has updated its Strategic Plan for the next few years—her written report goes into greater detail about that. She also proud to announce that the department has increased its interactions with the Commission of Indian Affairs (CIA), sharing with the CIA at its request the DNCR's scope of interactions with the state's Native American communities. This quantification included not only the OAH, but also the Division of Parks and Recreation, the North Carolina Arts Council, and other divisions and groups within the DNCR.

She also reported that the department just entered a contract with Lord Cultural Resources, a global cultural consulting practice offering planning services for museums, art galleries and other cultural institutions, to evaluate the visitor experience, exhibits, programming, and capacity needs at select locations within the department. Those contracted sites are Fort Macon State Park, the Museum of the Albemarle, and the Town Creek Indian Mound, Zebulon A. Vance Birthplace, Bentonville Battlefield, and Charles B. Aycock Birthplace state historic sites. The partnership will result in an evaluation of key items for implementation, as well as proposed implementation strategies.

Ms. Koonts concluded by updating the Commission on planning for the state's commemoration of America250, including education outreach, online resources, exhibitions, and events.

Chairman Ruffin thanked Ms. Koonts and commended the remarkable work that has been done and continues to be done by the OAH.

## **Chair Announcements**

Mr. Ruffin reminded commissioners that the next meeting of the NCHC is scheduled for September 22nd. He also reported that the NCHC has received another complaint pertaining to the Zebulon Vance confederate monument in Buncombe County. He will confer with Karen Blum and ask her to address the complaint with the commissioners at its next meeting.

## **Adjournment**

At the Chair's invitation, Dr. Waters moved adjournment. The motion was seconded by Ms. Phillips and was carried unanimously on a roll call vote. Chairman Ruffin adjourned the meeting at 4:06 P.M.

Respectfully submitted,

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Sarah E. Koonts

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