

**BISMARCK HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
February 17, 2021**

The Bismarck Historic Preservation Commission met on February 17, 2021, at 3:30 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Due to ongoing public health concerns related to COVID-19, the meeting was held via Zoom. Chair Sakariassen presided remotely.

Commissioners present were Steve Bakken, Blake Dinkins, Calvin Grinnell, Tory Jackson, Beth Nodland, Walt Bailey and Amy Sakariassen.

Staff members present were Sandra Bogaczyk – Office Assistant II, Jannelle Combs – City Attorney, Ben Ehreth – Community Development Director, Will Hutchings – Planner and Kim Lee – Planning Manager.

MINUTES

Chair Sakariassen called for consideration of the minutes of the January 20, 2021 meeting of the Historic Preservation Commission.

MOTION: A motion was made by Commissioner Bakken to approve the minutes of the January 20, 2021 meeting of the Historic Preservation Commission, as presented. The motion was seconded by Commissioner Bailey and with Commissioners Bakken, Bailey, Dinkins, Nodland and Sakariassen voting in favor of the motion, the motion was approved.

Commissioner Jackson joined the meeting at this time.

PUBLIC COMMENT

There were no public comments provided at this time.

Chair Sakariassen read a letter written from Bismarck resident, Susan Dingle. Ms. Dingle's letter is attached as Exhibit A.

There being no more public input Chair Sakariassen resumed the meeting.

Chair Sakariassen reordered the two following agenda items per staff's request.

PRIORITIZATION OF BNSF BRIDGE MITIGATION PRIORITIES

Chair Sakariassen stated that she appreciates all contributions made to the Section 106 process.

Mr. Hutchings stated that Ben Ehreth, Community Development Director, will be presenting the findings of the Section 106 process to City Commission. He summarized that the US Coast Guard is requesting the City of Bismarck to prioritize a list of potential mitigation strategies that could be included in a memorandum of agreement (MOA), which is part of the BNSF bridge programmatic agreement. He stated that the MOA to be created should include all aspects of what the Historic Preservation Commission has already forwarded along with other consulting parties in suggesting mitigation strategies for the bridge. Prior to the meeting, Mr. Hutchings asked Historic Preservation Commission members to pre-prioritize mitigation items. He shared the compiled results in spreadsheet format and discussed.

Mr. Hutchings asked members if any amendments are to be made before presenting the results with City Commission.

Commissioner Bakken stated his concern that the document might hold the City financially responsible for maintenance and stated his desire to write the possibility of moving the bridge into the document. He asked what was the mission of FORB; is it their mission to preserve the bridge or preserve the viewshed?

Chair Sakariassen stated that it was discovered that moving the bridge would be financially prohibitive and because historical preservation typically follows the theory of in situ, to keep artifacts within the place as they are found in order to maintain historic references. She stated she would support leaving the bridge in place.

Commissioner Bakken stated that he would hesitate forwarding an item to City Commission without a formal cost of maintenance and liability.

Commission members discussed the parameters and expectations of the MOA at this time.

Commissioner Grinnell joined the meeting at this time.

Mr. Ehreth had asked for an extension to return the prioritized mitigation priorities and the US Coast Guard granted a slight extension but the short timeline is unfortunate and pressing.

Mr. Ehreth discussed the content of the programmatic agreement, the MOA and the matrix of prioritization. The mitigation of infrastructure impacts is not included in any document but needs to be presented to City Commission.

Commissioner Nodland asked if the table of priorities was the intended focus of this meeting. Mr. Ehreth stated that she is correct, that the list of priorities is to create discussion and serve as a recommendation to the City Commission.

Commissioner Nodland stated that since the final four priorities are not mentioned in the MOA she wondered if the top priorities could be mentioned in the MOA.

Chair Sakariassen asked if the Commission were to note in their findings that, in the interest of time, this is not a perfect reflection of the Historic Preservation Commission or the City but merely an attempt to comply with the US Coast Guard's request in a timely fashion.

Mr. Ehreth stated that it certainly could be noted in his presentation to the City Commission.

Commissioner Dinkins asked if the funding question is on the list. Chair Sakariassen stated that was to be determined but that the MOA must be agreed to first. She stated that the FORB group will be talking after this item.

Commissioner Dinkins asked if there are to be several drafts in the process. Mr. Ehreth stated that once priorities are determined he assumes there will be some back and forth. Mr. Ehreth stated it was his desire to maintain transparency in the process. He stated that the US Coast Guard does have a time frame limit, but no set number of drafts.

Commissioner Nodland stated that on page 21 of the document the Historic Preservation Commission is noted as a processor and submitter, but wonders what responsibilities and authority Commission members have when it seems like BNSF would be the authority for nomination to the SHPO. Chair Sakariassen stated that clarification can be requested.

MOTION: A motion was made by Commissioner Nodland to submit the aggregated prioritized mitigation table from the Historical Preservation Commission members to the City Commission for their consideration. The motion was seconded by Commissioner Jackson and with Commissioners Dinkins, Jackson, Nodland and Sakariassen voting in favor of the motion, the motion was approved. Commissioners Bailey and Bakken opposed the motion. Commissioner Grinnell did not vote.

REQUEST OF FRIENDS OF THE RAIL BRIDGE FOR POTENTIAL PUBLIC-PRIVATE PARTNERSHIP PARTICIPATION

Ms. Emily Sakariassen spoke for Friends of the Rail Bridge (FORB) and shared a presentation stating the historical and geographic significance of the bridge. She stated FORB's position in support of keeping the bridge, developing a public-private relationship regarding economic feasibility and integrating the bridge into existing trail systems.

A discussion about the type of agreement the Historic Preservation Commission can commit to was held. Ms. Combs stated that the Historic Preservation Commission, since it is an advisory board, can make a recommendation to enter into a contract, such as a programmatic agreement, to the City Commission.

Commissioner Nodland stated that she is very excited about the project and wanted clarification about financial and contractual relationships between various public and private entities. She suggested that since BNSF is committing to a part of the relationship perhaps the Historic Preservation Commission could remove that item from the prioritization list and

only focus on what the Historic Preservation Commission can ensure.

A discussion about safety, insurance, financial concerns and responsibilities, right-of-ways and levels of commitments was held.

Commissioner Jackson asked if FORB was asking the Historic Preservation Commission to sign an agreement of their commitment of financial resources or just for their assistance. Chair Sakariassen confirmed that it was just for their assistance and stated that the public-private partnership must be established by the end of February.

MOTION: A motion was made by Commissioner Dinkins to recommend to the City Commission that the Historic Preservation Commission participate in a Public Private Partnership with Friends of the Rail Bridge (FORB) to provide any assistance allowed under the Historic Preservation Commission's power and duties (02-12-08). The motion was seconded by Commissioner Jackson and with Commissioners Bailey, Dinkins, Jackson, Nodland and Sakariassen voting in favor of the motion, the motion was approved. Commissioner Bakken opposed the motion. Commissioner Grinnell did not vote.

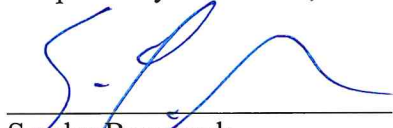
OTHER BUSINESS

Other business was not discussed at this time.

ADJOURNMENT

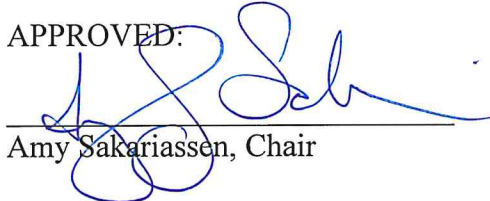
There being no further business, Chair Sakariassen declared the meeting of the Bismarck Historic Preservation Commission adjourned at 5:00 p.m. to meet again on March 17, 2021.

Respectfully Submitted,



Sandra Bogaczyk
Recording Secretary

APPROVED:



Amy Sakariassen, Chair

EXHIBIT A

Subject: HPC--please support FORB in a private-public partnership to help manage and fundraise for the bridge

From: Susan Dingle, Bismarck homeowner, resident, taxpayer, voter in all elections

To: Members of the Bismarck Historic Preservation Commission (Amy Sakariassen, Beth Nodland, Mayor Steve Bakken, Calvin Grinnell, Walt Bailey, Tory Jackson, Blake Dinkins) and Walt Hutchings, Planner, City of Bismarck and Liaison to HPC

RE: Friends of the Rail Bridge (FORB) and Need for Public Private Partnership

It is time for all good people of public, civic, and historic-minded spirit to come together to support preservation and repurposing of the 1883 Northern Pacific (now BNSF) Rail Bridge that spans the Missouri River between Bismarck and Mandan. At 137-plus years old, the rail bridge still functions to carry freight rail traffic across the northern US. As a historic bridge that is an intrinsic part of the settlement history, frontier military history, and history of Native Americans on the Upper Missouri, the bridge is unique, emblematic, and symbolic. As an early rail bridge on the Upper Missouri, whose engineering had to deal with issues of Upper Missouri river levels, currents, and freeze-thaw-breakup cycles, the bridge is a triumph of engineering design and innovation in its day. Without the railroad and the rail bridge, it is quite likely that the cities of Mandan and Bismarck would not exist or at least would not have their long-time positions of prominence in our state and in northern railroading.

BNSF's proposal to demolish this 1883 rail bridge and replace it with a new one designed for rail traffic needs of the 21st century and onward resulted in an outcry from local citizens and businesses in Bismarck and

Mandan. While understanding and supporting a rail bridge for the 21st century, supporters of the 1883 rail bridge would like to see it repurposed as a bridge for recreation. People of several generations—from "traditionals" [born 1925-1945], to Baby Boomers [born 1946-1964], to Generation Xers [born 1965-1980], to Millennials [born 1981-2000], to Generation Z [born 2000-2020]—have spoken at various public meetings about how they, their family members, and their friends all enjoy recreating along the Missouri River corridor and how they would love to add walking and bicycling across a repurposed 1883 Missouri River Bridge—rather than having to remember it only through historic photos or in pieces as some kind of commemorative monument.

With multigenerational support, support by historic preservationists and recreationists, support by people in economic development and development of downtown businesses (especially local and small businesses, which are important employment and business development sectors), joining a public private partnership to help manage and fundraise for the rail bridge is a good step to take to demonstrate commitment to historic preservation and to repurposing historic structures for continuing (but new) uses into the future. Supporting a pedestrian/bicycling bridge between Mandan and Bismarck with links to existing trail and recreation networks on both sides

of the bridge is part of making Bismarck more livable, a destination city, and a welcoming one to people of varying ages, abilities, and origins. Please show your support for FORB and please help by giving your involvement in helping to transition the bridge from rail service to recreation and being an enduring landmark and symbol for Bismarck and Mandan.

Respectfully, Susan Dingle