

**BISMARCK HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
December 15, 2021**

The Bismarck Historic Preservation Commission met on December 15, 2021, at 3:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. The meeting was held in person and via Zoom. Chair Sakariassen presided.

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

Commissioner Steve Bakken joined later in the meeting, as noted.

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

Guests present were Lisa Steckler and Lorna Meidinger – State Historic Preservation Office and Jim Fuglie – property owner.

MINUTES

Chair Sakariassen called for consideration of the minutes of the November 17, 2021 meeting of the Historic Preservation Commission.

MOTION: A motion was made by Commissioner Jackson to approve the minutes of the November 17, 2021 meeting of the Historic Preservation Commission, as presented. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

PUBLIC COMMENT

Chair Sakariassen asked if there were any public comments.

There being no public input Chair Sakariassen resumed the meeting.

At this time Commissioner Bakken joined the meeting.

SECTION 106 REVIEW – VERIZON TELECOMMUNICATIONS TOWER

Mr. Hutchings stated that the City of Bismarck has received a Section 106 Review request from Trileaf Corporation for a proposed monopole telecommunication tower within a gravel parking lot for an industrial site. The review request has been submitted to the State Historic Preservation Office for the proposed construction of a 110-foot monopole telecommunications tower and associated equipment within a 17-foot by 50-foot land space at 1700 Commerce Drive. Mr. Hutchings stated that staff found a Class III Cultural Resource Inventory, conducted in 2011 for the East Divide Avenue Expansion and the area of potential effect, noted a finding of No Historic Properties Affected. Mr. Hutchings noted

that the staff recommendation listed in the packet incorrectly references “Bismarck Airport Utilities and Roadway” but should state “Verizon Telecommunications Tower.”

MOTION: A motion was made by Commissioner Nodland to approve the Section 106 declaration for the proposed telecommunication tower project at 1700 Commerce Drive, as written with a finding of No Historic Properties Affected. The motion was seconded by Commissioner Bakken and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

SECTION 106 REVIEW – COMMUNITY ACTION PROGRAM – HOME IMPROVEMENT

Mr. Hutchings stated that the City of Bismarck has received a Section 106 Review request from Community Action Program for a proposed home improvement project consisting of the replacement of a wooden basement door with a new steel door at 1839 North Griffin Street. The project would utilize Department of Energy funding, not Community Development Block Grant funding, through Community Action Program Region VII as previously posted and listed in memorandum. Mr. Hutchings stated that Department of Energy projects of this nature, specifically exterior, in-kind door replacements noticeable from the public right-of-way, are exempt from Section 106 Review and thus recommended removing this item from consideration.

MOTION: A motion was made by Commissioner Bakken to remove the Section 106 Review request for 1839 North Griffin Street from consideration. The motion was seconded by Commissioner Dinkins and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

SECTION 106 REVIEW – REVIEW CHANGES

Mr. Hutchings reminded Commission members that at the November 17, 2021 meeting the Historic Preservation Commission received public input regarding requested changes to their involvement in Section 106 Reviews, as outlined in the Section 106 Consultation Information Guide. In addition, staff have been monitoring the effectiveness and impacts of the Historic Preservation Commission review of all Section 106 review requests. City staff, the State Historic Preservation Office and Chair Sakariassen met on November 23, 2021 to discuss potential options to improve on the City of Bismarck’s current level of participation. Mr. Hutchings noted the table of all Section 106 Reviews submitted to the State Historic Preservation Office, included in the agenda packet, and called attention to the large volume of Section 106 Reviews. Mr. Hutchings noted the proposed changes to the process were based on discussions with Chair Sakariassen and the State Historic Preservation Office and are reflected in the Section 106 Consultation Information Guide, attached as Appendix A.

Mr. Hutchings outlined the proposed changes to the City of Bismarck’s Section 106 review process, which was included in the agenda packet.

There was discussion about revising the By-Laws to include qualifications of Historic Preservation Commission members and the process for who would review any qualified request.

MOTION: A motion was made by Commissioner Dinkins to approve the Section 106 Consultation review process change as presented and appoint a member of the Commission to assist staff. The motion was seconded by Commissioner Nodland and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

There was discussion about making a motion to appoint a Commission member to be designated as advisor and whether or not to discuss with other members per project expertise as needed.

Mr. Ehreth cautioned members about discussing projects outside of the public meeting if more than two members were to meet outside of the public process.

Commissioner Bakken asked staff if there is a different possible method to discussing the Section 106 reviews that could be explored and brought back for further consideration. Mr. Hutchings stated that there may be some alternatives.

There was continued discussion about choosing a Commission member to be the liaison with City staff for Section 106 reviews instead of having to wait until the monthly meeting for review, benefitting applicants' timelines for project completion.

MOTION: A motion was made by Commissioner Nodland to nominate Chair Sakariassen as the Commission member designated to assist staff about Section 106 reviews. The motion was seconded by Commissioner Bakken and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

Mr. Hutchings thanked Lisa Steckler, Lorna Meidinger and Fern Swenson of the State Historic Preservation Office for discussions and their expertise regarding the discussions about improving the Commission's Section 106 Review process.

UPDATE ON TORRANCE ADDITION AND HIGHLAND ACRES PROJECT

Mr. Hutchings stated that at the November 17, 2021 Historic Preservation Commission meeting a motion was passed to approve the expansion of the Highland Acres Historic District project to include Torrance Addition, as a volunteer led effort, if residents are able to meet established deadlines as outlined and not incur added expenditure. Upon further review and consultation with the contracted consultant for the Highland Acres Nomination and the State Historic Preservation Office, it was determined that this course of action would not be feasible as it would lead to expanding the current contract with the consultant.

Mr. Hutchings stated that alternatively a historic district boundary amendment could be completed by volunteers and submitted in fall of 2022. The Historic Preservation Commission members would review the proposed expansion prior to the fall State Review Board hearing.

Mr. Hutchings stated that staff recommends a motion to rescind the previous motion from the November 17, 2021 meeting and a new motion to support a National Register of Historic

Places Historic District boundary expansion for the properties in Torrance Addition as a volunteer led effort.

MOTION: A motion was made by Commissioner Dinkins to rescind approval of the expansion of the Highland Acres Historic District project to include Torrance Addition, as a volunteer led effort, if residents are able to meet established deadlines as outlined and not incur added expenditure. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

Ms. Nodland stated her concern that the motion should include support for the boundary expansion.

Mr. Dinkins withdrew his motion and Commissioner Bailey withdrew his second.

MOTION: A motion was made by Commissioner Dinkins to rescind approval of the expansion of the Highland Acres Historic District project to include Torrance Addition, as a volunteer led effort, if residents are able to meet established deadlines as outlined and not incur added expenditure and to support a National Register of Historic Places Historic District boundary expansion for the properties in Torrance Addition as a volunteer led effort. The motion was seconded by Commissioner Nodland and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

Mr. Jackson asked for clarification of deadlines. Mr. Hutchings clarified that work on both neighborhoods would occur simultaneously, but the Highland Acres approval would precede the amendment request.

OTHER BUSINESS

Mr. Ehreth stated that there is a city-wide effort to adjust all terms of office to end in December and begin in January so there is a more consistent and seemingly more transparent ability for the public to apply for appointments and plan for them. Historic Preservation Commission members would be asked to complete extra months since their appointments started in the spring. He stated that the City Commission will be reviewing this item at its December 21, 2021 meeting.

Mr. Hutchings asked if Commission members had any concerns with moving all future monthly meetings to 3:00 p.m. instead of 3:30 p.m. to avoid conflicts with other meetings that occur several times per year. The meeting location would not change. He stated that the By-Laws would have to be amended, if so.

Mr. Hutchings proposed that Committee members designate a Special Meeting for the Highland Acres public meeting at 5:00 p.m. or 5:30 p.m. on the same day as the regular meeting in February 2022 to be more accessible to the public.

MOTION: A motion was made by Commissioner Jackson to amend the By-Laws to schedule regular meetings at 3:00 p.m. The motion was seconded by

Commissioner Bakken and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Jackson, Nodland and Chair Sakariassen voting in favor of the motion, the motion was approved.

Secretary's Note: This By-law amendment was brought forward on the January 19, 2022 Historic Preservation Commission meeting to ensure proper notice of the change in the agenda was included.

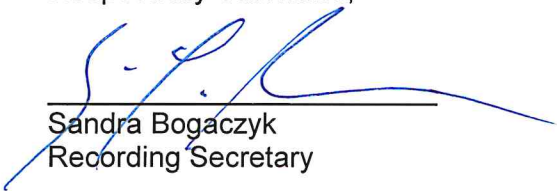
Mr. Hutchings stated that the City Commission voted to create a stakeholder group to plan and discuss the sesquicentennial celebration and stated that he was sure the Historic Preservation Commission would do its part in assisting in organizing that celebratory occasion. He mentioned that Commissioner Bakken in his role as Mayor asked the Assistant City Administrator to create a conducive environment in cooperation with City social media outlets.

Chair Sakariassen stated how happy and excited she was at the growing support for events. There was a consensus of Commissioners who agreed.

ADJOURNMENT

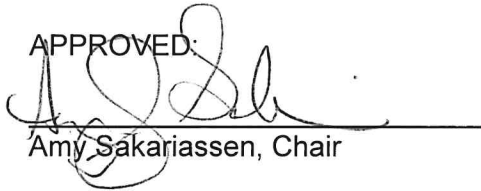
There being no further business, Chair Sakariassen declared the meeting of the Bismarck Historic Preservation Commission adjourned at 3:54 p.m. to meet again on January 19, 2022 at 3:00 p.m. in the Tom Baker Meeting Room.

Respectfully Submitted,



Sandra Bogaczyk
Recording Secretary

APPROVED:



Amy Sakariassen, Chair