

# **Draft Minutes**

JOINT MEETING  
STATE REVIEW BOARD and BOARD OF HISTORIC RESOURCES  
**10:00 a.m. December 10, 2020**  
This meeting took place online.

## **State Review Board Members Present**

Chair Jody Lahendro  
Vice-Chair Sara Bon-Harper  
Dr. Jody L. Allen  
Dr. Carl Lounsbury  
John Mullen  
John Salmon  
Carol Shull

## **Historic Resources Board Members Present**

Dr. Colita Nichols Fairfax, Chair  
Dr. Ashley Atkins-Spivey, Vice-Chair  
Jeffrey “Free” A. Harris  
W. Tucker Lemon  
Karice Luck-Brimmer  
Trip Pollard  
David Ruth

## **State Review Board Members Absent**

None.

## **Historic Resources Board Members Absent**

None.

## **Department of Historic Resources Staff Present**

Julie Langan, Director  
David Edwards  
Jim Hare  
Elizabeth Lipford  
Aubrey Von Lindern  
Lena McDonald  
Jennifer Loux

Stephanie Williams, Deputy Director  
Jennifer Pullen  
Michael Pulice  
Marc Wagner  
Joanna Wilson Green  
Megan Melinat

## **Other State Agency Staff Present:**

Andrew Tarne, Office of the Attorney General

DHR Deputy Director Stephanie Williams opened the meeting by welcoming Board members and attendees and explaining her role as host of the live joint meeting. She explained how the meeting would proceed through the joint session as well as how to participate in the separate sessions of the SRB and BHR. She introduced Andrew Tarne of the Office of the Attorney General and Jody Lahendro, chair of the SRB.

## **State Review Board (SRB)**

Chair Jody Lahendro called the meeting to order at 10:04 a.m. He began by reading the emergency declaration that the SRB is meeting online to perform necessary business of the Board. He next took a roll call of SRB members to confirm their presence and invited them to introduce themselves. Chair Lahendro asked for a motion for approval of the meeting format and agenda. Dr. Lounsbury made the motion and Mr. Salmon seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted in the affirmative.

Chair Lahendro asked for a motion to approve the September 17, 2020, meeting minutes. Dr. Lounsbury made the motion and Vice-Chair Bon-Harper seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted in the affirmative.

Chair Lahendro explained the role of the SRB and the process of Register designation.

### **Board of Historic Resources (BHR)**

BHR Chair Fairfax introduced herself and called the meeting to order at 10:14 a.m. Chair Fairfax read the emergency declaration that the BHR is meeting online to perform necessary business of the Board. She introduced herself and Deputy Director Williams took roll call to establish a quorum of members. Chair Fairfax invited BHR members to introduce themselves. She requested a motion for approval of the meeting format and agenda. Vice Chair Atkins-Spivey moved and Mr. Lemon seconded. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Pollard, Mr. Ruth, Mr. Harris, and Mr. Lemon voted in the affirmative.

Chair Fairfax asked for a motion to approve the September 17, 2020, meeting minutes. Mr. Lemon made the motion and Mr. Harris seconded. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Ruth, Mr. Harris, and Mr. Lemon voted in the affirmative and Mr. Pollard abstained as he was not a member of the BHR at that time.

Chair Fairfax explained the role of the BHR and introduced Dr. Langan.

### **Director's Report:**

Director Langan thanked everyone for their assistance in making the online meeting a success. She welcomed Mr. Pollard to the BHR. Training sessions for Board members will be made available early in 2021. She introduced DHR Director of Preservation Incentives Megan Melinat, recently promoted to the position. Director Langan said DHR is updating its comprehensive plan for statewide preservation, which occurs every 5 years. Public outreach has commenced with an online survey and invited Board members to complete the survey as well. DHR Director of the Community Services Division David Edwards is leading the update project. Director Langan said DHR will be expanding its archaeological collections storage space in the ground floor of the adjacent Virginia Museum of Historic and Culture, and a small expansion of office space will occur on the building's third floor. Other agency priorities have been postponed due to the pandemic emergency. At the upcoming General Assembly session, legislation concerning the easement program will be presented to expand criteria for a property's eligibility for an easement to include those recommended as eligible for the Registers. Another piece of legislation concerning relic hunting on properties protected by easement also is slated for the upcoming session. Secretary of Natural Resources Matt Strickler will propose legislation to change the Secretariat's name to Natural and Cultural Resources. Director Langan introduced Deputy Director Williams.

### **Approval of Staff Recommendation to Retain Board Regulations As-Is**

Deputy Director Williams presented to the BHR the three sets of regulations under their purview: public participation guidelines, burials of human remains, and criteria for VLR eligibility. Regulations must be periodically reviewed to establish that they are still current and clearly stated. Deputy Director Williams published the public comment period in the *Virginia Register of Regulations* and, based on feedback, DHR was asked to amend the regulation, repeal it, or retain it as is. DHR received no comments concerning the three sets of regulations and DHR's staff recommendation is to retain each set as is. Chair Fairfax asked if any BHR members had questions or discussion about the regulations. None was made.

Chair Fairfax requested a motion to approve the recommendation to retain the regulations as they are. Mr. Lemon moved and Ms. Brimmer seconded. Director Williams proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Ruth, Mr. Harris, Mr. Lemon, and Mr. Pollard voted in the affirmative

## **GENERAL PUBLIC COMMENT CONCERNING THE BOARD OF HISTORIC RESOURCES**

Deputy Director Williams explained that DHR receives public comment through two means: written and oral. DHR received no written comments in advance of the meeting.

Chair Fairfax read aloud the Statement Regarding Public Participation at Virginia BHR Meetings.

The following members of the public spoke during the public comment period:

1. Kayla Halberg spoke about the nomination for the College Terrace Historic District in Williamsburg.
2. Justin Patton spoke about the nomination for the Mt. Pleasant Baptist Church and Cemetery in Prince William County.

## **NOMINATIONS**

Mr. Jim Hare presented the following nominations as a block.

### **Eastern Region**

1. College Terrace Historic District, City of Williamsburg, DHR No. 137-5021, Criterion C
2. Macmurdo House, Town of Ashland, Hanover County, DHR No. 166-0036, Criterion C
3. Δ Averett Graded School and Wharton Memorial Baptist Church, Mecklenburg County, DHR No. 058-5127, Criterion A
4. Woodburn, Lunenburg County, DHR No. 055-0040, Criterion C

Comment Summary:

Chair Fairfax asked if another building is behind the garage of the Macmurdo House and Ms. Lipford confirmed that it is a noncontributing shed.

Mr. Lemon asked if the nomination for Woodburn includes the property's 168 acres, and Mr. Wagner confirmed that it does. The acreage is part of the property's historic setting.

Chair Fairfax asked for a motion to approve the Eastern Region nominations 1-4 as presented. Mr. Lemon made the motion and Vice-Chair Atkins-Spivey seconded. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, Mr. Pollard, and Mr. Ruth voted unanimously by roll call to approve the Eastern Region nominations 1-4 as presented.

Chair Lahendro asked for a motion to approve the Eastern Region nominations 1-4 as presented. Mr. Salmon made the motion and Vice-Chair Bon-Harper seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the Eastern Region nominations 1-4 as presented.

Mr. Jim Hare presented the following nomination.

### **Northern Region**

1. Δ Mount Pleasant Baptist Church and Cemetery, Prince William County, DHR No. 076-6009, Criterion A

Comment Summary:

Mr. Hare asked if there were any questions or comments. None were made.

Chair Fairfax asked for a motion to approve the Northern Region nomination 1 as presented. Mr. Harris made the motion and Ms. Luck-Brimmer seconded. Chair Fairfax proceeded with a roll call vote. Chair Fairfax, Vice-Chair

Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, Mr. Pollard, and Mr. Ruth voted unanimously by roll call to approve the Northern Region nominations 1 as presented.

Chair Lahendro asked for a motion to approve the Northern Region nomination 1 as presented. Vice-Chair Bon-Harper made the motion and Ms. Shull seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the Northern Region nomination 1 as presented.

Mr. Jim Hare presented the following nominations as a block.

### **Western Region**

1. Dewitt-Wharton Manufacturing Company Building, City of Lynchburg, DHR No. 118-0103, Criteria A and C
2. Glencoe, Botetourt County, DHR No. 011-0034, Criterion C

### **Comment Summary:**

Mr. Hare asked if there were any questions or comments. None were made.

Chair Fairfax asked for a motion to approve the Western Region nominations 1-2 as presented. Vice-Chair Atkins-Spivey made the motion and Ms. Luck-Brimmer seconded. Chair Fairfax proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, Mr. Pollard, and Mr. Ruth voted unanimously by roll call to approve the Northern Region nominations 1 as presented.

Chair Lahendro asked for a motion to approve the Western Region nominations 1-2 as presented. Dr. Allen made the motion and Vice-Chair Bon-Harper seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the Northern Region nomination 1 as presented.

Chair Lahendro asked for a motion to adjourn the joint meeting. Dr. Lounsbury made the motion and Mr. Mullen seconded. Chair Lahendro proceeded with a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted in the affirmative.

Chair Fairfax asked for a motion to adjourn the joint meeting. Mr. Lemon made the motion and Mr. Harris seconded. Chair Fairfax proceeded with a roll call vote. Chair Fairfax, Vice-Chair Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, Mr. Pollard, and Mr. Ruth voted in the affirmative.

The Joint Session of the Boards adjourned at 11:18 a.m.

**Register Summary of Resources Listed:** Historic Districts: 1  
Buildings: 6  
Structures: 0  
Sites: 0  
Objects: 0  
MPDs: 0

## BOARD OF HISTORIC RESOURCES

This meeting took place online.

### Board of Historic Resources Members Present:

Dr. Colita Nichols Fairfax, Chair  
Dr. Ashley Atkins-Spivey, Vice Chair  
Jeffrey “Free” A. Harris  
W. Tucker Lemon  
Karice Luck-Brimmer  
David Ruth

### Board of Historic Resources Members Absent:

Trip Pollard

### Department of Historic Resources (DHR) Staff Present:

Julie Langan, Director  
Stephanie Williams, Deputy Director  
Dr. Jennifer Loux  
Brad McDonald  
Megan Melinat  
Wendy Musumeci  
Andy Poole  
Jennifer Pullen  
Karri Richardson  
Joanna Wilson Green

### Other State Agency Staff Present:

Catherine Shankles (Office of the Attorney General)  
Andrew Tarne (Office of the Attorney General)

### Guests Present (from attendees list in Webex):

|                            |                  |                        |                      |
|----------------------------|------------------|------------------------|----------------------|
| Kayla Halberg              | Arlene Williams  | Sheila Carrington      | Felicia Cosby        |
| Madlen Lesesne             | DeJuana Scott    | Kia Williams           | Irene Lewis-Bland    |
| Sally Dickinson            | Laura Vaughan    | Mitch Lohr             | Carol Judkins        |
| Victoria Leonard           | Paige Pollard    | Dale Mullen            | Aime Seibert         |
| Ashlen Stump               | Patricia Bates   | Wendy Washington       | Del. Delores McQuinn |
| Dr. Renee Escoffery-Torres | Thelma Brown     | Dr. Allia Carter       |                      |
| Sonja Ingram               | Lyndia Ramsey    | Andrea Kinard          |                      |
| Felecia Irving             | Evella Hutcheson | Charletta Wilson Jones |                      |

Chair Fairfax called the meeting to order at 12:32 p.m. She began by reading the emergency declaration that the Board of Historic Resources (“Board”) is meeting online to perform the necessary business of the Board. Chair Fairfax then invited Board members to introduce themselves.

## **HIGHWAY MARKERS**

Dr. Jennifer Loux presented the following six (6) Diversity markers as a block and read the accompanying statements of support from the marker applicants.

### Sponsor Markers – Diversity

#### **1.) Leonard Woods Lynched**

Sponsor: Pound Historical Society and the Department of History and Philosophy, University of Virginia’s College at Wise

Locality: Wise County

Proposed Location: Route 23 at Pound Gap

## **2.) Owens-Melvin House**

Sponsor: Patrice Owens Parker, Hugo A. Owens, Jr., Paula Owens Parker  
Locality: Chesapeake  
Proposed Location: 732 Shell Road, Chesapeake

## **3.) Woodville Rosenwald School**

Sponsor: Woodville/Rosenwald School Foundation  
Locality: Gloucester County  
Proposed Location: 4310 George Washington Memorial Highway

## **4.) Augustus Nathaniel Lushington, VMD (ca. 1861 – 1939)**

Sponsor: Multiple sponsors via the Lynchburg City Schools Education Foundation  
Locality: Lynchburg  
Proposed Location: 1005 Fifth St.

## **5.) AKA Delta Omega**

Sponsor: Alpha Kappa Alpha Sorority Incorporated, Delta Omega Chapter  
Locality: Chesterfield County  
Proposed Location: near 4501 River Road, South Chesterfield

## **6.) Beulah School, Rosenwald Funded**

Sponsor: Pyramid Network Services, LLC  
Locality: Chesterfield County  
Proposed Location: 21210 Hull Street Road, Moseley

Comments Summary: Chair Fairfax noted that Leonard Woods Lynched Marker will be the fourth marker that chronicles a lynching in Virginia. She is also excited about the Owens-Melvin House Marker because it presents an important opportunity to discuss historic African-American domestic sites and Dr. Owens was an important figure in Virginia's African-American history. Chair Fairfax further stated her enthusiasm for the AKA Delta Omega Marker as it is the first marker to educate people about a graduate chapter of AKA in Virginia. Chair Fairfax is very proud of this group of markers. Mr. Lemon questioned the locality-conditioned requirement on the Armistead S. Nickens Marker. Director Langan stated that this was likely the result of mitigation stemming from a Section 106 review of adverse effect of the proposed utility tower. With regards to the AKA Delta Omega Marker, Mr. Harris noted its diverse LGBTQ and African-American history.

With a motion by Mr. Harris and a second from Mr. Lemon, Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

Dr. Jennifer Loux presented the following four (4) sponsor markers as a block and read the accompanying statements of support from the marker applicants.

### **Sponsor Markers**

#### **1.) Assawaman Church of England**

Sponsor: Francis Makemie Society

Locality: Accomack County  
Proposed Location: 12224 Atlantic Road, Assawoman

## **2.) Chilton Family and the Revolutionary War**

Sponsor: John Chilton McAuliff  
Locality: Westmoreland County  
Proposed Location: southern side of Rte. 622 (Currioman Rd.) at 38.147997, -76.772632

## **3.) American Revolution on the Frontier**

Sponsor: Meadowbrook Museum of History  
Locality: Montgomery County  
Proposed Location: 847 Alleghany Spring Road, Shawsville

## **4.) Syms Free School**

Sponsor: Virginia Society Colonial Dames XVII Century  
Locality: City of Hampton  
Proposed Location: Benjamin Syms Middle School, 170 Fox Hill Road

Comments Summary: Chair Fairfax stated that she and people in the Hampton Roads area are very aware of the Syms legacy and the creation of the first free school within the Virginia colony. With regards to the American Revolution on the Frontier marker, Mr. Lemon noted that today people often forget how remote the western area of the state was at the time of the Revolution and how remarkable it was for people at that time to come together to make these resolutions.

With a motion by Mr. Tucker, and a second from Ms. Luck-Brimmer, Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

Dr. Loux presented the following markers for replacement:

### **Replacement Markers**

#### **1.) Aberdeen Gardens W-95**

**Sponsor:** Hampton CVB  
**Locality:** Hampton  
**Proposed Location:** 1424 Aberdeen Road

#### **2.) Birthplace of George Wythe W-85**

**Sponsor:** Hampton CVB  
**Locality:** Hampton  
**Proposed Location:** 1424 Aberdeen Road

Comments Summary: Concerning the Aberdeen Gardens Replacement Marker, Chair Fairfax noted that as we evolve as a country there is certain nomenclature that we don't use anymore and the use of the word "Negro" in this marker is one such example. The preferred term is "African-American" or "Black", so this is a wonderful improvement. Additionally the changes made to the George Wythe marker reflect a better read.

With a motion by Mr. Harris and a second from Ms. Luck-Brimmer, Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

## **Local Markers**

### **1.) Educator Virginia Lee Murphy (Albemarle County)**

Comments Summary: Chair Fairfax stated that she did not receive the text of this marker in her board packet. Dr. Loux confirmed that this is an Albemarle county marker and that the Board is reviewing this for the appearance of the marker, not the text. Mr. Ruth confirmed that the Albemarle county seal would replace the Georgia state seal as shown in the virtual presentation. Chair Fairfax questioned the appearance of the proposed marker as compared to DHR's historical markers. Dr. Loux confirmed that the proposed marker does vary in appearance (overall size, color, size of text, seal) from DHR's historical markers.

With a motion by Mr. Ruth and a second from Mr. Lemon, Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

Chair Fairfax thanked Dr. Loux for her presentation.

## **EASEMENTS**

### **Easement Offers for Reconsideration**

Ms. Wilson Green presented the following easement offers for reconsideration. These items were presented for reauthorization due to expiration of prior Board approval, per Easement Program Policy #2: *Criteria for Acceptance of Easements*.

#### **1. Star Fort 2, Second Winchester and Opequon Battlefields, Frederick County**

Property Owner: Shenandoah Valley Battlefields Foundation

Acreage: 10.17 ± acres

Grant Funding: American Battlefield Protection Program

Board approval on Sept. 20, 2018 subject to the following conditions:

1. Final review of title work, title commitment, survey and draft easement by the Office of the Attorney General.
2. Receipt of revised title commitment and ALTA survey, as well as two letters of containment or documentation of abandoned utility easements by Northern Virginia Power Company.

Approval has expired.

There are no changes to the terms of the easement offer or to the property itself.

Staff recommends reauthorization of the Star Fort 2 easement offer as approved by the Board at its September 20, 2018 meeting.

#### **2. V Corps, Brock Road Tract, Spotsylvania Courthouse Battlefield, Spotsylvania County**

Property Owner: Central Virginia Battlefields Trust

Acreage: 14.403 ± acres

Grant Funding: American Battlefield Protection Program



Board approval on December 13, 2018 subject to the following conditions:  
Recordation of a new utility easement to replace an unrecorded 1930s easement specific to the existing power line right-of-way. (RECEIVED)  
Revision of the plat of survey to reflect the new easement. (RECEIVED)  
Updates to the title document. (RECEIVED)  
Final review of all title work and related documentation by the Office of the Attorney General.  
(COMPLETE)

Approval has expired. The deed of easement has been finalized and is ready for signature and recording.

Staff recommends reauthorization of the V Corps Brock Road Tract easement offer, recognizing that the Board's original conditions have been satisfied.

### **3. Benchmark II Tract, Fredericksburg I and II Battlefields, Spotsylvania County**

Property Owner: American Battlefield Trust

Acreage: 4.31 ± acres

Grant Funding: American Battlefield Protection Program, Virginia Battlefield Preservation Fund

Board approval on September 17, 2015. Reauthorized by VBHR on September 21, 2017 subject to the following conditions:

1. Existing residential lease is extended by no more than one year following easement recordation.
2. Demolition of all buildings/structures within 3 years of recordation according to a written management plan. (PLAN COMPLETE)
3. Property must be subject to an easement separate from the other parcels in the original offer.
4. Review of all title work (COMPLETE)

Approval has expired.

The easement and management plan are finalized and ready for signature.

Staff recommends reauthorization of the Benchmark II easement offer as approved by the Board at its September 21, 2017 meeting.

Comments summary: No discussion.

Chair Fairfax asked for a motion to approve these three (3) easement offers for reconsideration as presented. Mr. Lemon made the motion and Ms. Luck-Brimmer seconded the motion. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

### **Violations**

Ms. Wilson Green presented the following violation update:

#### **1. Kirby Tract, Third Winchester (Opequon) Battlefield, Frederick County**

Property Owner: Shenandoah Valley Battlefields Foundation

Easement Recorded: March 9, 2017

*Remediation of major and willful violation.*

- The Board-requested Phase I archaeological survey and damage assessment was completed and approved by Easement Program staff.

- The American Battlefield Protection Program has declined to find that the alterations to the property constitute conversion or diversion from its open-space value.
- Remediation plan includes the Shenandoah Valley Battlefields Foundation’s donation of an easement over property adjacent to the Kirby Tract, with said property to be of equal or greater acreage than that affected by the unauthorized ground disturbance and of equal or greater historic significance.

Comments Summary: No discussion.

Ms. Melinat presented the following violations:

## 2. Poor House Farm, Northampton County

Property Owner: Eastern Shore of Virginia Barrier Islands Center

Easement Recorded: July 1, 2002

*Remediation of major and willful violation.*

Remediation plan includes:

- The brick patio will be reduced in size and be pulled away from the Quarter Kitchen. The brick half wall and brick skirting will also be removed. The removal will begin no later than June 1, 2021, following conclusion of moisture and crack monitoring of the Quarter Kitchen.
- The VLR and National Register of Historic Places nominations will be updated to list the Quarter Kitchen as a non-contributing resource, due to its loss of historic integrity.
- The deed of easement will be amended to reflect the non-contributing status of the Quarter Kitchen. The inclusion of additional acreage is also being evaluated, with archaeological investigation scheduled to begin after the first of the year. The interpretive signage will be revised to ensure the Quarter Kitchen is not misrepresented as an historic structure.

Property Owner Comment by Paige Pollard, Consultant for Barrier Islands Center (“BIC”): Ms. Pollard thanked the Board for the opportunity speak. She read the BIC mission statement and noted that BIC is a history-based organization but not a professional preservation organization. As such, BIC did not intend to violate the easement. Ms. Pollard noted that DHR staff has been positive and professional through this process and BIC is grateful for the positive result. She also noted that the BIC staff and board members have been very involved in this process and they deserve credit for their hard work.

## 3. Belgian Building, City of Richmond

Property Owner: Virginia Union University

Easement Recorded: March 16, 2010

*Citation of willful violation.*

Sign installation is inconsistent with:

Provision 5: Alterations and New Construction (prior review and approval of Grantee required); and

Provision 14: Signs (exceeds allowed size: 300 sf vs 9 sf).

DHR staff recommends removal of the (4) signs, for potential installation elsewhere on campus.

BHR Comments Summary: With regards to the Belgian Building violation, Vice Chair Atkins-Spivey asked for confirmation that the last official communication from Virginia Union University (“VUU”) was in September 2020 and that DHR’s request for the removal of the signs was made months ago but that has not yet occurred. Ms. Melinat confirmed same. Noting all three properties mentioned for violations, Mr. Lemon stated that he was disappointed. All three organizations, which Mr. Lemon noted are among the more sophisticated property owners, appear to be taking ignorant actions or actions with willful disregard. Mr. Harris agreed with Mr. Lemon noting that while he finds these violations disappointing, he believes this is an interesting learning experience and urged everyone to find a good resolution to these violations. Mr. Lemon agreed with Mr. Harris’s comments.

NOTE: A PowerPoint slide presentation was to accompany the following property owner comments by Dr. Allia Carter and attorney Dale Mullen. However, due to technical difficulties, this slide presentation was unavailable at the time of their comments and therefore not presented to the Board during this meeting. Following these comments, Chair Fairfax directed that the slide presentation be emailed to each of the Board members after the meeting adjourned. The slide presentation will also be posted on the “Board Activities & Public Meetings” page of DHR’s website and in the Easement Program notebook located in DHR’s Archives.

Summary of Property Owner Comment by Dr. Allia Carter, Executive Vice President and Chief Operating Office for Virginia Union University: Dr. Carter thanked the Board for the opportunity to speak. Dr. Carter stated that discussions with DHR are on-going. She discussed the history of the Belgian Building and its relationship to VUU and Richmond’s African-American community. She also discussed partnerships and mentioned recent efforts to restore the lighting of the Vann Tower. Dr. Carter emphasized the importance of the Belgian Building as a focal point at VUU, and that VUU literally sees the tower as a “light in a dark time.”

Summary of Property Owner Comment by Dale Mullen, Attorney Representing Virginia Union University: Mr. Mullen stated that he appreciated the opportunity to speak to the Board. Having worked at the Office of the Attorney General and on historic easements in various locations, Mr. Mullen believes there is a path forward to permit the retention of the Belgian Building signage while also protecting the historic nature of the building. He pointed out that this situation is different from most historic easement violation issues due to the age of the building as it only dates to the late 1930’s. The style of the signage is consistent with the age of the building, and the original signage on the building itself was in the same style as the current VUU letters. Mr. Mullen stated that Section 22(iii) of the Belgian Building easement is not conflictive and that VUU asks for consideration for an easement amendment that would allow this signage but no additional signs going forward. Mr. Mullen stated that the building and the sign have incredible significance to VUU and that if this sign comes down, it will signify “a return to the past.”

Summary of Statement by Virginia Delegate Delores McQuinn: Delegate McQuinn noted that this is a unique situation for VUU and DHR. She thanked DHR staff for their work and for preserving the Commonwealth’s historic treasures. Delegate McQuinn has been assisting with the process to bring about a resolution to this violation issue. She hopes that the parties may find a pathway to resolution that everyone can live with. She supports VUU and their efforts.

Violations #1 and #2 are updates and do not require a vote. Concerning Violation #3, Chair Fairfax asked for a motion that DHR staff be directed to work with the appropriate VUU staff to find a remedy to the violation as presented, and that this remedy be brought to the Board of Historic Resources in March. Mr. Harris made the motion and Ms. Luck-Brimmer seconded the motion. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

### **Administrative Item**

Ms. Melinat presented the following administrative items.

#### **1. Policy #3 Monitoring – Update/revision**

- Replaces prior policy in its entirety
- Clarifies the monitoring process
- Broadens the definition of resources

Comments Summary: No discussion.

Chair Fairfax asked for a motion to approve Policy #3 update/revision as presented. Mr. Harris made the motion and Mr. Lemon seconded the motion. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Ruth, Mr. Lemon, and Mr. Harris voted in the affirmative.

## **2. Policy #12 Administrative Fees – Update/revision**

In order to offset the increased costs to DHR resulting from negotiations, communications, modifications, and stewardship, grant-funded easement offers are charged 2% of the total grant award, an amount due at the time the grant is dispersed. Due to the timing of the grant cycles and challenges reconciling an appropriate invoicing process, the fees did not come due until late 2019/early 2020. Applicants for 4 projects were notified that they will be invoiced for the 2% fee.

In response to feedback from partner organizations, DHR has decided to standardize the fee structure and the following change is proposed, effective for all new applications received on or after January 1, 2021:

- \$10,000 flat fee for all grant-funded easement projects
- Invoiced at the time DHR schedules the Baseline Documentation Site Visit

Comments Summary: Mr. Harris asked if the wording in the presentation is just an explanation or the actual text of the policy. Ms. Melinat confirmed that this wording is just an explanation; a more thorough update to the policy will be presented at the March 2021 BHR meeting. Mr. Lemon noted that the text edits were included in the Board packet.

Chair Fairfax asked for a motion to approve Policy #12 update/revision as presented. Mr. Lemon made the motion and Mr. Harris seconded the motion. Deputy Director Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Ruth, Mr. Lemon, and Mr. Harris voted in the affirmative.

### **New Easement Recorded Since the June 2020 HRB Meeting**

Ms. Melinat then briefed the Board about the following recently recorded easements.

#### **A. Arlington Archaeological Site, Northampton County**

Easement Donor: Arlington Foundation, Inc.

Acreage: 7.3 acres

Date Recorded: September 18, 2020

#### **B. Custis Tombs, Northampton County**

Easement Donor: Arlington Foundation, Inc.

Acreage: 0.165 acre

Date Recorded: September 18, 2020

#### **C. Belroi Road Lots, Gloucester County**

Easement Donor: The Fairfield Foundation

Acreage: 6.80 acres

Date Recorded: October 23, 2020

Chair Fairfax asked the Board members if they wanted to go into closed session to discuss violations. Mr. Lemon stated that he would like to go into closed session to discuss the Belgian Building violation. Director Langan asked Mr. Tarne to advise whether closed session was appropriate for this situation. Mr. Tarne stated that closed session should only be used for consultation with counsel on specific legal matters (e.g. interpretation of an easement) and/or in anticipation of litigation. The Board decided not to move into closed session at this time.

Chair Fairfax thanked DHR staff for their efforts in hosting this virtual meeting of the Board of Historic Resources and wished everyone a happy holiday season.

Mr. Ruth thanked Director Langan and Deputy Director Williams for their efforts in organizing this virtual meeting.

Chair Fairfax asked for a motion to adjourn. Dr. Atkins-Spivey made the motion and Mr. Harris seconded the motion. Ms. Williams proceeded with a roll call vote. Chair Fairfax, Dr. Atkins-Spivey, Mr. Harris, Mr. Lemon, Ms. Luck-Brimmer, and Mr. Ruth voted in the affirmative.

Chair Fairfax adjourned the December 2020 meeting of the Board of Historic Resources at 2:18 p.m.

### **STATE REVIEW BOARD**

This meeting took place online.

#### **State Review Board Members Present**

Chair Jody Lahendro  
Vice-Chair Sara Bon-Harper  
Dr. Jody L. Allen  
Dr. Carl Lounsbury  
John Mullen  
John Salmon  
Carol Shull

#### **State Review Board Members Absent**

None

#### **Department of Historic Resources Staff Present**

Jim Hare  
David Edwards  
Elizabeth Lipford  
Lena McDonald  
Michael Pulice  
Aubrey Von Lindern  
Marc Wagner

**Guests (from attendees list in Webex):** Susie Brown; Lakshmi Fjord (Union Hill Rural HD); Thomas Gilmore; LaToya Gray; Sam Gray; Mary Hawley; Theodore Hixson; Laura L. Manigault; Queen Shabazz (USO/ Beaux Twenty Club); Radiah Shabazz; Rafiqah Shabazz; Cheryl Taylor; Richard Walker (Union Hill Rural HD); Mary Wilson

Chair Lahendro called the meeting to order at 1:01 p.m. for discussion and consideration of the Preliminary Information Forms (informal guidance session). He began by reading the emergency declaration that the SRB is meeting online to perform necessary business of the Board.

The following proposals were *endorsed*, unless otherwise noted, with the following comments:

#### **Eastern Region**

1. Δ \*\*Beaux Twenty Club, City of Petersburg, DHR No. 123-5054, Criteria A and C  
The property's location within historically African American neighborhoods, The Heights and Ravens Cross, was discussed, as were the building's design by the U.S. Quartermaster and use by active duty service members and local residents. An online repository of USO records at the University of Minnesota was suggested as a potential information source. The Library of Virginia also has a collection of records about USO clubs in Virginia.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Mr. Salmon made the motion and Dr. Allen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

2. Δ Chatsworth School, Henrico County, DHR No. 043-0544, Criteria A and C  
The building's façade with two entries was discussed, but the reason for having two is not currently known.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Vice-Chair Bon-Harper made the motion and Dr. Lounsbury seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion. The Library of Virginia also has a collection of records about USO clubs in Virginia.

3. Δ Union Hill Rural Historic District, Buckingham County, DHR No. 014-5087, Criteria A and C  
Agricultural activity in the HD between 1920-1960 was discussed. The familial interrelationships of African American families within the HD were described. The project's research methodology and community engagement efforts were explained to the SRB. The potential for other rural historic districts with similar periods and areas of significance also was discussed. Variations in family name spellings among white and African American families were mentioned, with markers in family cemeteries providing evidence of the differences. The Stagville State Historic Site in North Carolina was offered as an example of a former plantation with layers of cultural resources similar to those in Union Hill.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Dr. Lounsbury made the motion and Vice-Chair Bon-Harper seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

## **Northern Region**

1. Δ \*\*Ashburn Historic District Boundary Increase, Loudoun County, DHR No. 053-0013, Criterion A  
The SRB endorsed the PIF without additional comment.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Dr. Allen made the motion and Vice-Chair Bon-Harper seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

2. Brubaker Farm, Page County, DHR No. 069-5306, Criterion C  
Chair Lahendro left the meeting at 2:57 p.m.

The primary dwelling's construction date was discussed but a firm date has not yet been established.

Vice-Chair Bon-Harper requested a motion for the SRB to approve the PIF to proceed. Dr. Lounsbury made the motion and Dr. Allen seconded. Vice-Chair Bon-Harper took a roll call vote. Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

3. Δ Cherry Hill School, Fauquier County, DHR No. 030-5890, Criterion A

The area's rural character and the remnants of the historic African American community in the vicinity were discussed. State and county school records may include pertinent information.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Vice-Chair Bon-Harper made the motion and Dr. Lounsbury seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

4. Quarry Hill, Bath County, DHR No. 008-5036, Criterion C

The property previously was evaluated in 2007, at which time it was recommended eligible for the Registers. It is being reevaluated due to the length of time that has elapsed.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Dr. Lounsbury made the motion and Mr. Mullen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

5. \*\*Whitefield Commons, Arlington County, DHR No. 000-9823, Criteria A and C

The Garden Apartments Complex MPD, under which the Whitefield Commons property is proposed for nomination, was discussed.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Dr. Lounsbury made the motion and Mr. Mullen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

## **Western Region**

1. Δ Calfee Training School, Town of Pulaski, Pulaski County, DHR No. 125-0034

Mr. Lahendro returned to the meeting at 3:09 p.m. The building's interior alterations were discussed.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Vice-Chair Bon-Harper made the motion and Mr. Salmon seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

2. Claremont Elementary School, Town of Pulaski, Pulaski County, DHR No. 125-5013, Criteria A and C

The property's exterior architectural alterations were discussed.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Mr. Salmon made the motion and Dr. Lounsbury seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper,

Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

3. Guthrie Cannery, Franklin County, DHR No. 033-5453, Criteria A and C  
The rarity of rural, commercial canneries as a resource type was discussed.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Dr. Allen made the motion and Mr. Mullen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

4. Meads Tavern, Campbell County, DHR No. 015-0120, Criteria A, C, and D  
The building's construction sequence was discussed, with the upper story thought likely to have been added at an unknown date, and smaller one-story additions following sometime thereafter. Field investigations at the property are expected to continue. The property's information potential was noted.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Vice-Chair Bon-Harper made the motion and Dr. Lounsbury seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

5. Δ Scott Zion Church and Cemetery, Amherst County, DHR No. 005-5439, Criterion A  
The building's brick veneer was discussed as a typical improvement made to historic African American churches during the mid-20<sup>th</sup> century.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Ms. Shull made the motion and Mr. Mullen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

6. Vaughan Furniture Building, City of Galax, DHR No. 113-5042  
The applicability of Criterion for one or more of the Vaughan family members was discussed, as well as the racial makeup of the workforce. The company's labor history could be discussed in a nomination too.

Chair Lahendro requested a motion for the SRB to approve the PIF to proceed. Vice-Chair Bon-Harper made the motion and Dr. Allen seconded. Chair Lahendro took a roll call vote. Chair Lahendro, Vice-Chair Bon-Harper, Dr. Allen, Dr. Lounsbury, Mr. Mullen, Mr. Salmon, and Ms. Shull voted unanimously by roll call to approve the motion.

**The SRB meeting was adjourned at 4:03 p.m.**

- \* Cost Share Sponsored Project
- \*\* Certified Local Government
- \*\*\* Certified Local Government Sponsored Project
- Δ Associated with African American history
- ^ ESHPF Disaster Assistance Grant Project