

Town of Concrete

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Historic Preservation and Landmarks Commission

Agenda

October 25, 2023 at 6 p.m.

Members

John Boggs, Chair
Kylee Moneypenney, Chair Pro-Tem
Stephanie Semro
Gibson Fichter

Staff

Andrea Fichter
Kevin Crecchio

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll Call
 - a. Clarification of “Zoom” Capabilities and Establishing Protocols (pg 1)
 - b. Recognition of Zoom attendees
4. Approval of Minutes
September 27, 2023 (pgs 2-3)
5. Old Business
 - a. New Models vs our Existing Code and Bylaws (pgs 4-6)
 - b. Discussion on group review
6. New Business
 - a. Interesting Facts We Should Consider (pg 7)
 - b. Strategy Re-Think of HPLC Path to Progress (pg 8) and discussion
 - c. Homework?
7. Other Business
Planning Commission’s 2nd meeting. Draft schedule of activities for Comp Plan Update due out at Nov. meeting. Expect some discussions at our future meetings about any mention of historic preservation for the Comp Plan.
8. Announcements
Meeting Schedule: Next meeting November 22nd at 6pm.
9. Adjournment

Clarification of “Zoom” Capabilities and Establishing Protocols

1. Introduction

- a. It’s obvious that the era of attending meetings remotely, instead of in-person, will continue and provide new challenges for both hosting groups and remote participants.
- b. All of our commissioners have attended meetings or training sessions where remote access was being utilized.
- c. Personally, I can say that that I don’t fully understand what the capabilities available at the Town Hall are, or how they are routinely used. And I don’t believe that I’m alone in that regard.
- d. For those that attend the Town Council Meetings, we are accustomed to the remote attendees being mute, until they are specifically called upon, or have their mikes toggled on. With that background, we, as a group, thought nothing of ignoring Kylee at the last meeting. That is not a practice that I wish to institutionalize for our HPLC meetings.

2. Future Remote and Gallery Attendees

- a. Active participation from our commissioners as well as the general public is an integral part of our mission. Until such participation becomes disruptive, we should do more to encourage input during the meetings.
- b. I propose we improve our process by the following:
 - 1) Have Andrea give us a better understanding of the capabilities of “Zoom.”
 - 2) Allow all remote attendees to have “hot mikes.” Again, if meetings are disrupted where we find this to be counter-productive, we should be able to mute all the mikes except those of commissioners or staff attending remotely.
 - 3) Have the laptop screen turned around so the commissioners can see the remote attendees.
 - 4) Before we close a discussion, I should specifically ask the remote attendees and those in the gallery if they have any comments or questions.
 - 5) While I accept the responsibility of being the “Chair,” I ask that everyone assist in fulfilling group norms. That means if I miss something or make an error in that role, I will not be offended by it being brought to my attention in real-time.

Town of Concrete
Historic Preservation & Landmarks Commission
September 27, 2023

6:00 p.m. Chair John Boggs called the meeting to order and led the gallery in the Pledge of Allegiance.

Commissioners Present: Kylee Money Penny (via Zoom), Stephanie Semro (Council Member), and Gibson Fichter and John Boggs.

Additional Council Members/Staff Present: Andrea Fichter

Audience Members Signed In/Present/Zoom: Jason Miller

Approval of Minutes: Stephanie made the motion to approve the minutes of the July 19 and August 23 meetings, seconded by Gibson, motion passed.

Old Business:

- a. Information on the UTM mapping system. John gave a quick explanation of the handouts provided on the mapping system. John also mentioned that all the properties in the Skagit County Assessor's data base already have UTM coordinates assigned to them, so we won't have to figure those out when inventorying properties.
- b. After some careful examination of the Town's current HPLC Code, Chapter 2.18 and the companion Bylaws, the consensus of the group is that the "new model code and bylaws" provided by Michelle Thompson are easier to understand and less repetitive while accomplishing the same objective. Gibson stated he planned on taking the model code and filling in the blanks with the intention of submitting it for approval to be Concrete's new code. John added that we should all take the two codes, side-by-side, and ensure there aren't some Concrete-unique things we need to include in-total from the existing documents, such as the selection process for commissioners.

New Business:

- a. NAPC. John stated that he joined the National Alliance for Preservation Commissioners (NAPC, www.napcommissioners.org) that recently presented the Summer Short Course that some of us participated in. He did so at the group rate so all the commissioners would have access on a continuing basis to their webinars. Otherwise, the time limit for accessing the Short Course would expire. There are many other presentations available via their web site. He also provided the username and password to the commissioners.
- b. Assessor's Data Base. John explained his various attempts to create a spreadsheet for all the properties in Concrete and its Urban Growth Area (UGA). With all the possible data elements that should be included, trying to cut-and-paste one together, became unwieldy and fraught with errors. Since he was getting the data from the Skagit County Assessors data base, he asked the Assessor for assistance. The Assessor, Danny Hagen, came through with providing essentially their entire data base in a spreadsheet. At about 800 entries long and 80 data elements wide, it too is unwieldy (at 6 feet long), but all the data is correctly aligned and we can sort and print off whatever data we choose to focus on. John provided a sample sort of the data sorted by address of the buildings and the built date that's on record. He offered to follow that up with sending the file.

- c. WISAARD. John handed around some of the inventories that already exist in the State's WISAARD data base (Washington Information System for Architectural and Archaeological Records Data [wisaard.dahp.wa.gov]) that he provided to the Town in a binder at the Town Hall. Some properties had extensive, detailed entries and some appeared to have been started, but not flushed out. This is an area where we need some schooling on. Exactly what constitutes a submission that will be accepted? I suggested we invite Kelly Bush (Equinox Research and Consulting International, Inc.; [equinoxerci.com]) who either entered many of the local properties or supervised one of her employees that did, to come and explain WISAARD to us.

Other Business: None

Upcoming: John asked about setting some reasonable target dates and milestones for us strive for.

- a. First of the year: Collectively, the group took on the challenge of getting a new suggested code and set of bylaw submitted to the Town Council by the first of the year. This includes creating some new flow-chart type explanations of the process to get properties on the Historic Register and a short listing of the facts and myths about Historic Registers.
- b. January 2024: Ask for a workshop/presentation on the Special Valuations affecting property taxes that can be provided by being on the Register from either the Skagit County Assessor or Michelle Thompson.
- c. February 2024: Request a presentation on the WISAARD System and the existing local entries from Kelly Bush. If she's not available, Michelle Thompson has offered us one.
- d. Spring 2024: Kick-off the public education and recruitment for the Historic register.
- e. Next Regular Meeting: **October 25, 2023**, 6pm at Town Hall.

Adjournment: Motion was made by Stephanie to adjourn at 6:47pm, seconded by Gibson. Motion passed.

John Boggs, Chair

Kylee Moneypenny, Pro-Tem

New Models versus Our Existing Code & Bylaws (John)

Code

As I sat down with printed copy of the “New Model Code” next to a copy of our CMC 2.18 (Current Code), and started comparing them line-by-line, section-by-section, I found them remarkably similar. The one obvious redundant section was eliminated, the miss-numbering of one of the sections was corrected, and a few of the definitions were eliminated, but otherwise they are pretty much the same. My initial infatuation with the “new model code” has worn off after careful scrutiny.

Comments:

1. All references to Ordinances, Codes, other Procedures, etc. need to be verified one-by-one on whatever our final draft becomes.
2. All text needs to be scrutinized for proper capitalization, numbering, and spacing. For instance, in Section 2.18.020 Title, “historic preservation and landmarks ordinance” should be capitalized since it refers to our specific code. Other instances include not capitalizing the “T” in the Town of Concrete.
3. The order of the definitions listed is confusing. Some definitions have been omitted in the new model code and the order has changed. Suggest we at least ensure the definitions are listed in alphabetical order. References below are to the existing paragraph numbers.
4. Section 2.18.030 Definitions (8). The Town has already become a CLG, so the end of the sentence after Chapter 84.26 RCW should be deleted. The last paragraph needs to be scrubbed and re-written, because once again, the Town is already a CLG.
5. Section 2.18.030 Definitions (10). The entire section about Historic Districts was not included in our current code, evidently because it was decided not to ever try and create one, and yet this paragraph defines a “District.” We can either delete this paragraph or include the section about creating such districts.
6. Section 2.18.030 Definitions (12). Why is this definition so generic instead of specifically referring to the Concrete Register of Historic Places?
7. Section 2.18.030 Definitions (13), second paragraph. The new model includes more possibilities. Because those can change over time, perhaps we should list these incentives in a separate annex and include references on where to find more information. I also question how the listed incentives are carried through to other Town Codes and fee structures.
8. Section 2.18.030 Definitions (14) & (15). These paragraphs are unique to our code because we have included “Landmarks” which the model code does not specifically address. Paragraph 5 is one of the places that could use an extra space between “above” and “ground.” Aboveground without the space is also correct, but not the common usage.
9. Section 2.18.030 Definitions (19). Again, Town of Concrete.
10. Section 2.18.030 Definitions (20). Probably should be Skagit County Assessor’s record.
11. Section 2.18.030 Definitions (27). The name has been changed from “Washington Heritage Register” to State Register of Historic Places.

12. Section 2.18.030 Definitions (28). The new model rewords this paragraph, so we should examine the then differences.
13. Section 2.18.04 Town of Concrete Historic Preservation and Landmarks Commission. Definitions (8). This section has been amended. It appears to also be in the Bylaws. I question whether this should be in the Bylaws. The Code is the regulatory directive. It seems redundant to repeat almost 4 pages of text. A more careful check, word-by-word should be performed on this part to separate directives (Code) from procedures (Bylaws).
14. Section 2.18.050 Town of Concrete Register of Historic Places, Section 2018-.060 Review of changes to the Town of Concrete Register of Historic Places, Section 2.18.070 Review and monitoring of properties for special property tax valuation. Much of these sections involves procedures and seems better suited to be in the Bylaws. Section 2.18.070 appears to be significantly different than the new model and does not recognize Concrete as a CLG.
15. Section 2.18.080 Relationship to zoning. This is not a separate section in the new model code. Where is it?
16. Section 2.18.090 Establishment of a Historic Preservation and Landmark Commission. This seems like a late add-on and should logically be located much earlier.
17. Our Code does not contain anything about an "Agreement" or any "Appeals" regarding "Special Valuations." This appears to be an oversight.

Bylaws

1. Miscellaneous place where spaces are missing between words.
2. Italics section after Section 1: General Rules and Procedures. Every time the CMC 2.18 is amended, it is done by Ordinance. Thus, more than 1 ordinance is responsible for 2.18 in its current form. Why then does this reference only one ordinance? Why not reference the CMC as the governing directive?
3. In general, the Bylaws can be changed/amended by a vote of the HPLC without consultation or permission of the Town Council. (See Section I G.) Some actions should not be within the Commission's authority, but rest solely with the Town Council. Among those things are the commission's name, purpose, membership requirements, powers and duties. Those are things granted to us by the Council, not organic to the commission. Such powers that the commission does not have should not be in the Bylaws. I also find it questionable that the commission grants itself the authority to change the Bylaws.
4. Section I F, Officers and Staff has a paragraph after paragraph 2e, label "7 that clearly doesn't belong there. It appears to be the result of a bad cut-and-paste. That paragraph should be deleted.
5. Sections I E through I G are mislabeled by one increment. Should be Sections I G through I I.
6. Paragraph I F Meetings includes some missing spaces between words and paragraph 2 ii still has 4 members meeting the standard for a quorum rather than the current 3.
7. Section I G, Amending Bylaws. Extraneous letter "m" should be removed.
8. Section II A. Same comment as number 1. Also should we delete paragraph 9 since we have no recognized cemeteries in Concrete. Before we do that perhaps we should check on possible ramifications if an indigenous burial site is later discovered.

9. Section II B, Application Standards for Concrete Register of Historic Places is missing a space.
10. Section II B, last paragraph. Slight change in wording we should examine.
11. Section II F is a duplicate of Section II A.
12. Section III. We need to verify the Design Review is also referenced in other applicable Codes governing building permits and planning activities.
13. Section III, paragraph 5. The indent should be corrected.
14. Section III, paragraph immediately after 5. Wording here is significantly different and should be examined closely. It *might* be wise to include that there are no building permits required for painting, and as such, no reviews are required for painting. Many of the horror stories repeated about historic reservation revolve around controlling even paint colors.
15. Section III, lettered paragraphs are significantly different and should be carefully compared.
16. Section III A Procedures for Conducting Meetings and Section IV A. We have 2 distinct sets of instruction that go on for pages. Is it possible to consolidate them with some paragraphs being applicable to one action and not the other, rather than being so redundant?
17. Section III A. Italics after paragraph e ii (8). This gives the commission the allowance to not follow their own established procedures without documented how they were modified or why. I find this very dangerous. If we choose to permit on-the-fly changes they should be clearly documented and justified.
18. Section III A 2a(iii). This again references one Ordinance and not the CMC.
19. Section III A 2 b(iv) and 2 c. This sets what the Building Inspector will do. Has this ever been incorporated into the CMC that governs the inspector?
20. Section III B 1 Alterations d. The new model does not include this first paragraph. The fourth paragraph, including (i), (ii), (iii) is re-worded.
21. Section IV A. Again procedures for meetings.
22. Section IV A (the second one). This should be labeled as "B."
23. Section IV C The new model has been re-worded. Verify references in the first paragraph and the first paragraph 4.
24. Section IV D. Very different in new model.
25. Possibly missing the end sections like the CMC 2.18.
26. A signature block for the Mayor? Shouldn't this have the Chair and Chair pro-tem is the commission can change its own Bylaws?

Interesting Facts We Should Consider

After contacting some current and former members of the various historic preservation groups in the surrounding communities, I've found some interesting things worth relating to this group.

1. The Burlington Historic Preservation group essentially no longer exists. The City can't even provide a point of contact and it appears all the terms of office may have expired. The group became inactive after, according to one report, a shift in priorities by the leadership there.
2. The group in Anacortes has a totally different track record. I've printed off some of available information on their efforts and I find them rather remarkable. I'll leave that copy for you to review here at the Town Hall and I strongly suggest you do. All the groups, including Concrete's, were established about the same time with widely differing results. I recently attended one of their monthly meetings in Anacortes and the group is still active, cohesive, and actively working projects. Their focus is slightly different than what we have originally envisioned and that bears noting. The original focus for us was to get properties on our local Historic Register and eligible for Special Tax Valuations from the Skagit County Assessor's Office. In the dozen years or so since the historic preservation groups were created, only one property in the entire county has received that Special Valuation. That property is located in Sedro-Woolley. It's also worth noting that even though Anacortes may have more intact historic structures than Concrete, their Historic Properties Register is fairly small. I inquired about that at the meeting I attended there. They have found the level of detailed documentation required for those two programs can be difficult to substantiate. The onus, whether perceived or real, of the possible restrictions that come with those two programs still limits their appeal. As we have discussed the importance of the public education side of our historic reservation mission, the Anacortes group has developed a practical and yet more encompassing approach. Besides the Historic Property Inventories they've received grants to accomplish [see examples on the binder provided], they have a worthy stair-step approach we should also seriously consider. Buried in our existing Bylaws are provisions for a Historic House Plaque Program. Our program requires the structures/houses to be on our Historic Register, where the Anacortes program is a lower-level program that encourages interest in historic properties without any restrictions. We should look at modifying our program. For Concrete, this stair-step approach might be the place to start. Their Historic Homes listing on their website creates a lot of interest and has high visibility. Generating both of those things will be required for us to move forward, while still making incremental progress. Part of what I perceive as the failure of our previous HPLC was becoming focused on what they narrowly defined as "success." That focus was the renovation of the Superior Building. Redefining what we consider attainable success something we can and should re-evaluate on a regular basis. Setting goals that are currently beyond our scope is counter-productive.

Strategy Re-Think of HPLC Path to Progress

Historic preservation is not a one-shot process that occurs as an afterthought. In order to be age-eligible at the 50-year point, properties need to have been properly built and maintained over their entire life-cycle. Prior to becoming eligible for historic designation, the importance of enforcing other standards and codes cannot be understated. Historic preservation is not an automatic process. While it begins with education, support for it happens because of an ongoing visual presence of preservation activities. The seeds of interest are planted during ongoing education programs and can build through small-scale, minimally restrictive efforts, projects, and programs that have wide appeal and become prominent features in the community.

Many people hear the term “historic preservation” and immediately envision costly and restrictive controls infringing on private property rights by outsiders. Education can diffuse some of that initial confusion. The rest must be overcome by policies, procedures, and actions of locals involved in the historic preservation process. That’s us. How we initially move forward will impact all of our successors.

The stair-step approach utilized by Anacortes permits the HPLC to remain an active participant in the community and to incrementally grow support in non-controversial ways. It is interesting to note that the code for the Anacortes Historic Preservation Board was based upon the same template as our CMC. Much of the work that their Preservation Board has done has been allowed by the code but not specifically directed by it. Essentially, that means their Board pursued the greater intent of preservation without being confined by their cumbersome code. That approach works for them. I ask you to consider whether it could work for us. On a personal level, I’m not used to officially doing things this way when the accountability for my actions can fall on someone else. In this case, that’s the Town of Concrete.

Now that we’ve dwelled on all the things wrong and confusing about the CMC 2.18, including the fact that in reality many of the intended benefits are not used in Skagit County, perhaps it’s time to look “outside-of-the-box.” So far, I’ve stressed trying to fully understand what has never actually been implemented, so we could accomplish something that only one Skagit County property owner has accomplished in over a decade. Now, I’d like an honest evaluation on whether that has been worth the time? Has it been fulfilling? Has it been productive? What could we be doing/doing better that would produce some satisfying results?

All the members of this Commission are creative in their own unique ways. I’m coming to believe that trying to box in that creativity has been an error on my part.