

A Meeting of the
MONTANA HERITAGE COMMISSION

December 8, 2017

Montana Department of Commerce

301 South Park Room 226/228

Helena, MT

MISSION

The Montana Heritage commission preserves and manages historic resources in Virginia City, Nevada City and Reeder's Alley and promotes the appreciation of history through quality visitor experiences.

Commissioners Present

Marilyn Ross, Philip Maechling, Andy Poole, Shera Konen, Bruce Whittenberg, Barbie Durham, Timothy Lehman, Pam Haxby-Cote

Commissioners Absent

Bill Beck, Matthew Marcinek, Stan Ozark, Bill Howell, David Hoffman

Staff Members Present

Elijah Allen, Executive Director; Amy Barnes, Attorney; Bonnie Martello, Paralegal

Interested Persons

Carma Sinerius, Dustin Kalanick, Ian Root, John White

Call to Order

The Montana Heritage Commission was called to order by Chair Ross at 12:30 pm.

Approval of September 8, 2017 Minutes

Commissioner Durham made a motion to approve the minutes. Commissioner Konen seconded. Motion carried. Motion to accept or decline McFarland Center Donation

Elijah discussed the public meeting regarding the McFarland Center, Elijah stated that the responses from the public was overwhelmingly positive to accept the donation. Elijah expressed that Amy Barnes had questions regarding who holds title to the land the McFarland Center is situated on as most of the Deeds are in the Montana Historical Society's name currently. Elijah stated that Commissioner Whittenberg, also the Director for the Montana Historical Society will have to sign the Deed for the transfer of the property.

Commissioner Durham motioned to accept the McFarland Center Donation. Commissioner Maechling seconded. Motion carried.

Motion to accept or decline the sale and boundary re-alignment of land to Central City LLC

Chair Ross welcomed Carma Sinerious and asked her to comment on Central City Land transfer. Ms. Sinerious expressed that the readjustment of the land boundary is great, but doesn't want to see the Montana Heritage Commission sell the 17 acres to Central City LLC. She feels that they are not sensitive to the needs of the people around Virginia City. She also would like the Commission to consider the impact of the fences, signs and cameras that Central City LLC installs and the impact that puts on the citizens and tourists of Virginia City.

Commissioner Maechling stated that he also has the same concerns that Ms. Sinerious stated and he has sent a list of questions to Central City that included many of the same concerns that Ms. Sinerious stated along with what are their plans for the land, deed restrictions of the land, mineral rights, additional disturbance of the land. Commissioner Maechling said until he receives answers to the questions he has raised a couple of times he will not support the sale of the land.

Elijah, stated that in the public meeting Central City LLC intends to use the land for agriculture purposes and are open to some restrictions.

Elijah clarified that Central City LLC is not offering an 'either or' option. It's the boundary re-alignment and the land sale together. Elijah reminded the Commission that they are a partial owner of the land and his main goal is to get control of land that has the railroad tracks.

Commissioner Poole, questioned the parcel of the land that the railroad is on regarding the boundary re-alignment technically owned by both the Commission and Central City LLC is it possible for the other owners to shut the train down. Commissioner Poole asked Amy Barnes for her input into this matter. She stated she will review the deed. Chair Ross stated there is a motion on the table to accept or decline, but wants to offer a third option to postpone the decision on this matter until the March 2, 2018 meeting so that the Commission can review the answers to the questions posed. **Commissioner Maechling motioned to table the discussion of the sale and boundary re-alignment of the Central City Land until the March 2, 2018 meeting. Commissioner Maechling stated he would form the questions into a letter. Commissioner Whittenberg seconded. Motion carried.**

Commissioner Lehman requested if weather permits he would like to have the opportunity to look at the parcel of land.

Public Comment

Dustin Kalanick, Restoration Director with the Montana Historical Preservation Alliance thanked the Commission for the opportunity to work together with the preservation project of the Methodist Church. Mr. Kalanick stated that the project looks like a sustainable project. He also stated that the Montana Historical Preservation Alliance has been retained independently by the Fever family to look at the Stone Wall Hall to see if the structure is feasible to preserve.

Director's Report

Elijah provided the Commission with an overview of the progress of the projects and collections that are currently being preserved with the Nevada City Hotel and Cabins being the top project. The Project is half way

completed; the cabins are receiving new furniture, flooring, and fixtures. The Thomas Meagher Cabin and Lightening Splitter cabin are complete. The Bonanza Inn is being converted into a hostile accommodating biking tourist coming through Virginia City. The last preservation project that Elijah discussed with the Commission was the Information Center that will be going in where the old gas station is currently standing. Elijah discussed recognizing Commissioner Durham for all her hard work with the EPA. He would like to have a plaque install in the information Center recognizing Commissioner Durham.

Elijah stated that the Heritage Commission made it through the Legislative Special Session with out financial cuts.

Elijah presented to the Commission the Vigilante Trail project that he along with Madison County, the Chamber of Commerce and Butte have been collaborating on. They are trying to obtain a permit for a scenic historic byway along with a designation. Elijah asked for letters of support from the Montana Department of Commerce and the Montana Heritage Commission.

Elijah discussed the Economic Impact Study produced by Rocky Mountain Improvement District which is now Circle Analytics. The study provides information on what tourist are spending. Elijah stated that the study reports \$74.4 million in impact. The Study provides a breakdown in visitors. \$74.6 million in gross economic output, \$45.3 million to gross county product, \$29 million to total labor income, 1260 total jobs, \$9.7 million in capital income, and \$6.3 million in indirect business tax and fees.

Elijah with the Commission a draft job description that HR prepared for Commission members that was recommended in the Legislative Audit. The Commission discussed the content and modifications the job description and how it would be utilized. The Commission asked that Amy Barnes review the document and have it on the agenda for adoption at the March Meeting.

Old Business

Elijah reported that the Evalyn Johnson land donation is scheduled for the Land Board on December 18, 2017. The Hazmat report came back with no issues. The delay has been due to the uniqueness of the State accepting donated land.

Elijah also asked for some guidance regarding the local zoning requirements. Amy Barnes discussed with the Commission the matter of a State agency being exempt from the local zoning requirements, but stated private businesses that are leasing State property to conduct a private business are subject to the local zoning laws. Commissioner Maechling suggested that the Commission come up with a sign code that could be part of the local zoning that both parities agree. Commissioner Poole asked Amy Barnes if she would work with the Commission and possibly the town to negotiate a resolution and report options at the March meeting.

Ian Root-Policy discussion on display of controversial maters in State owned properties

Ian Root, discussed the display of a confederate flag in the Bale of Hay Saloon. Mr. Root is troubled that a tenant of the Montana Heritage Commission is displaying the flag. He stated that he spoke with Chair Ross; she suggested that he present his issue to the Commission. Mr. Root feels the flag represent offensive issues and he believes it does not have any place in civilized society other than possibly in a museum that discusses with the Civil War or the negative side of the Civil Rights movement. Mr. Root stated that he tried to speak with the owner but didn't make any progress. Mr. Root is asking the Commission to demand the tenant remove the flag from her establishment.

Elijah, read a statement from the tenants of the Bale of Hay Saloon. The tenants suggest that they be allowed to display the 1863 Stars and Bars flag in place of the current Battle Confederate Flag. If the Commission does not think that the 1863 flag is not an option, they will remove the flag. The tenants strongly believe in history and does not want to see any artifacts removed.

John white discussed that there are several issues with the Confederate and the United States flag that violates the Flag Code.

The Commission had an informal discussion on the matter. The Commission did not vote on this matter. The Commission would like to encourage the tenants to possibly not display this part of history in such a conspicuous fashion.

Commissioner Whittenberg disagreed with Mr. Roots statement that that part of history needs to be expunged. He feels it needs to be interpreted and preserved as a lesson for future generations but not necessarily be celebrated.

MHC Commissioner Comments

The next Commission will be March 2, 2018 in Helena.

Adjournment

Meeting adjourned at 2:30 p.m.