

MEMORANDUM

TO: The Alamance County Historic Properties Commission

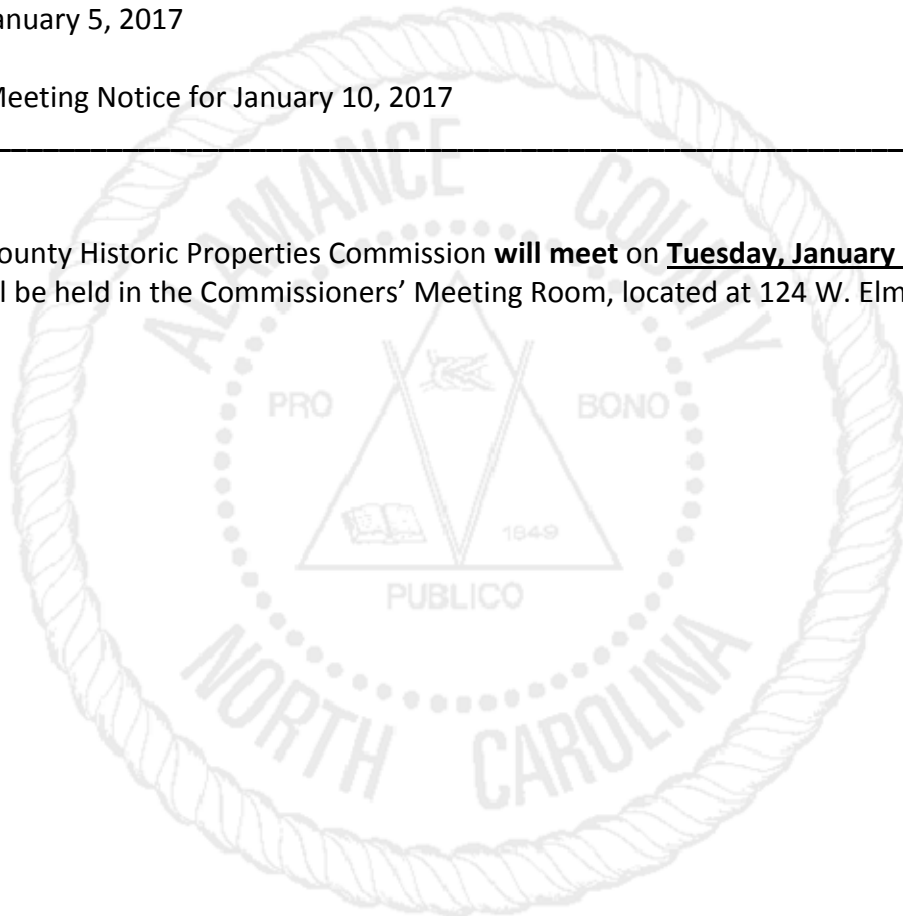
FROM: Jessica Dockery, Planner

DATE: January 5, 2017

SUBJECT: Meeting Notice for January 10, 2017

The Alamance County Historic Properties Commission **will meet** on **Tuesday, January 10,** 2017 at 6 PM. This meeting will be held in the Commissioners' Meeting Room, located at 124 W. Elm Street, Graham.

Thank you.



Alamance County Historic Properties Commission

Tuesday, January 10, 2016

6 PM, Commissioners' Meeting Room
124 W. Elm Street, Graham, NC 27253

AGENDA

I. CALL TO ORDER

II. APPROVAL OF MINUTES

III. OLD BUSINESS

1. Update from Public Outreach subcommittee
2. Update from Local Landmark Sign subcommittee
3. Completed COA projects

IV. NEW BUSINESS

1. Election of officers
2. Approval of HPC applications for forwarding to the BOCC
3. Approval of proposed 2017 meeting schedule
4. Discussion of suggested process checklist for COA applications
5. Discussion of forming a historic preservation coalition
6. Discussion of CLG/HPC agreement changes and issues
7. Discussion of archaeological survey project

V. ANNOUNCEMENTS

VI. ADJOURNMENT

Alamance County Historic Property Commission

Tuesday, October 11, 2016

6:00 PM, Commissioners' Meeting Room
124 W. Elm Street, Graham, NC 27253

Minutes

Board Members Present:

Rodney Cheek (Chair)
Laurie Smith (Vice-Chair)
Lea Abbott
Ravi Balan
John Braxton
Bryan Dalton
Marti Friddle
Marcus Orr

Board Members Absent:

Gale Pettiford

Staff Present:

Jessica Dockery, Planner

Public Present:

Bill Traynor
Frances Blackburn
Cat Manolis

I. Call to Order

Rodney Cheek called the meeting to order at 6:00 PM and roll was taken by staff.

II. Approval of Minutes

Motion to approve minutes: Ms. Friddle
Second: Mr. Dalton
Vote: Unanimous

III. Old Business

None

IV. New Business

1. *Review of an after-the-fact Certificate of Appropriateness application for the Freeman-Boggs-Woody House-* Mr. Cheek recused himself as the owners are clients of his. Staff summarized the application and a previous conversation with Mr. Cheek. There were no questions for staff. Ms. Manolis, the designer for the applicant, was

sworn in by Ms. Smith to answer questions from the commission. Ms. Friddle asked for clarification that the roof height change was to meet code rather than aesthetics. Ms. Manolis indicated this was the case. Mr. Balan asked if these would be the only changes. Ms. Manolis assured the commission that they were nearly finished and these were the only changes. Mr. Abbott asked if any archaeological evidence had been found when the footing were put in. Ms. Manolis said no. Mr. Abbott asked if this was a substantial change from the original application and Ms. Smith summarized the changes and stated that the materials were significantly different. Mr. Balan noted design guidelines 4, 9, and 10 as possibly applying to the application. There was some discussion of these guidelines. Ms. Smith felt the distance from the street helped since you could not really see the material changes.

Motion to approve based on design guidelines 4, 9, and 10 as they apply and as discussed: Mr. Balan
Second: Ms. Friddle
Vote: Unanimous

Commission and staff discussed the possibility of extending the deadline of the COA to reflect the new COA date. Mr. Traynor indicated that would be helpful.

Motion to approve a six month extension for the expiration of the first COA: Ms. Friddle
Second: Mr. Orr
Vote: Unanimous

- 2. Discussion of local landmark signs-* Staff reminded commission that signs should have been placed at each new landmark at the time of designation and the commission now needed to move forward with doing so. Staff gave a brief summary of costs by sign typed based on research done. Double-sided bronze street signs ran around \$2,000 plus the cost of the post for an 18" x 18" sign, smaller signs to attach to the buildings were around \$169 for the smallest size but would not be visible from the road, and aluminum signs in approximately the same sizes were cheaper but may not last as long. Markers on the street help with the educational aspect of the commission's mission but it may be difficult to get permission to attach markers directly on the buildings. Staff asked the commission for their preferred sign type, material, and wording to guide staff in creating a mockup and getting specific quotes. Mr. Abbott asked if the street markers would be in the right of way. Staff indicated that they would need to be on the property and not in the right of way. Staff also offered the option of numbering the properties more in the form of a tour with a brochure. Mr. Balan thought they should be more informative. Mr. Cheek asked if we should change the ordinance to change the date that signs would be required going forward and negate the earlier ones. He also suggested adding a landmark application fee to cover the cost of the sign. Staff said that may deter applicants but it may be a good idea to cover research costs as well. Mr. Abbott asked who would install the signs. Staff indicated that the HPC members, or possibly

the county, would probably install them. It was also noted that whatever option was selected would decide the timeline. Commission decided on a street sign with some information and a number to create a tour that could be printed and/or put on website. Ms. Friddle suggested wood. Staff noted maintenance requirements but great cost savings. Mr. Cheek suggested finding people in county to volunteer to make and/or paint the signs. Staff suggested commissioners should create a subcommittee to find and contact people they know who might be able to make the signs and report back to the commission. Mr. Balan and Mr. Cheek volunteered to work as a subcommittee. Staff asked for information by the next meeting to move forward.

3. *Discussion of Strategic Plan and goals for the HPC-* Staff explained that the departments and boards of the county were instructed to come up with ways that their work could meet the plan goals. Mr. Balan suggested respect for history was the commission's main focus. Staff noted the commission should strive to coordinate with other departments as well. Mr. Balan noted that part of the commission's mission was to educate the public about preservation and the history of the county and that the commission could go into the schools, especially elementary schools, and introduce students to architecture and preservation. Mr. Abbott discussed going into high schools to talk about preservation or the trades. Staff suggested information could be provided for the schools to utilize in the classrooms if the commissioners did not want to go into the classrooms themselves. Mr. Orr suggested working with ACC. Staff noted would need to find people to speak to that level beyond the commission. Mr. Abbott suggested the restoration side could be discussed. Staff called for volunteers to form a subcommittee to lead this effort. Mr. Orr and Mr. Abbott volunteered. Staff noted that when smart growth and development becomes a priority the commission needs to be sure to be at the table during discussions to help preserve the build environment during new development. Staff also noted that the commission was open and transparent when decisions regarding COAs were directly linked to the design guidelines so they needed to continue making motions that included that information. Mr. Abbott asked in the commission needed have a written document related to the plan. Staff noted that the work plan was what typically would act as a document.
4. *Discussion of HPC work plan goals for this year-* Staff noted that most of the items in last year's work plan were met. Staff also suggested several possibilities for this year's work plan, including starting the purchase of landmark signs, investigating new designations for landmarks, contacting the owners of properties currently on the potential landmark list, staff could make changes to the architectural survey draft, and staff could work with the tax department to ensure that the landmark owners have been offered the 50% tax break for designation. Staff also suggested looking into a local historic district, with Bellmont being a possibility. Mr. Balan asked if the owner would benefit from being in a district. Staff noted that oversight of exterior changes by the commission might raise property values but the owners

would not be able to take the 50% tax break. Mr. Abbott asked about the changes to the GIS and the architectural survey. Staff indicated that updates have been made but have not been posted to the website and that the information could now be entered into the survey draft. Ms. Friddle asked about a revised form to add things to the survey. Staff indicated that it had been created but she would send it out again. Mr. Abbott suggested cooperating with the Children's Museum for a preservation day. Mr. Orr suggested working with Cedarock Park. Mr. Abbott asked if the commission could borrow items from the county historical museum to use at outreach events. Ms. Smith noted a few items that might be interesting and staff noted the Haw River Museum might also have some items as well. Some discussion of the investigating a local historic district continued. Mr. Cheek said looking into it was fine. Mr. Balan said he liked the idea of a historic district. Ms. Friddle noted that many people in the county were not in favor of local historic districts. Staff noted that there was a list created of potential local landmarks and asked if the commissioners would be willing to contact the owners directly or host a small informational party rather than just sending letters. Mr. Cheek said a reception may be a good idea. Staff summarized the discussion to create a list of work plan items: staff would complete text changes for the architectural survey draft; staff will work with the tax department to resolve the tax break issues; staff will send letters to potential local landmark owners and the commission will look into arrangements for a reception; and the commission will initiate a public outreach program.

5. *Discussion of HPC Christmas party*- Mr. Cheek suggested a Christmas Party December 13, 5-7 PM, at the Cutting Board in Burlington. A tentative reservation has been made. Mr. Cheek reminded staff that the commission will invite the Planning Board as well. This meeting will replace the regularly scheduled December meeting.

V. Announcements

1. *HPC Ordinance*- Staff noted that there is no final signed copy of the revised Ordinance to distribute to the signers of the inter-local agreement yet.

VI. Adjournment

Motion to adjourn at 7:11 PM

Motion: Mr. Dalton

Second: Ms. Smith

Vote: Unanimous

Respectfully submitted,

Jessica Dockery

Planner

We recommend four basic paths to improve HPC outreach. These include: 1. Special Events, 2. Education, 3. Special Projects, and 4. Increased Public Awareness.

1. **Special Events** - Marcus has outlined the Plein Air Painting event below. This is a good idea and, I believe, within our ability to put together. In particular, an exhibition of the works is very good. Possible venues include: Alamance Co. Historical Museum, the art museum in Graham, Cedar Rock Park, a location in conjunction with the Arts Council, etc.

2. **Education** - A. Participate in Career Days at the public schools. We would need to contact the schools to gauge interest.

B. Talks/presentations to public school history classes, at Alamance Battleground, local Genealogical Society, church groups, and at the Twin Lakes community as a part of their resident enrichment program.

C. Adult/Continuing Education Class at ACC.

3. **Special Projects** - Can be done with public involvement and include: A. An abandoned cemetery Survey of the county.

B. An archaeological survey of the county. We could work with the Office of State Archaeology.

C. Update the architectural survey of the county.

We would need to consult with the county attorney regarding landowner issues and liability.

4. **Increased Public Awareness** - These are things we can do in general to help increase our profile. These include: A. Public notices of meeting times and dates placed in the Classified section of the Times-News.

B. Notice in the paper whenever a new member is approved.

C. Contact Times-News regarding a feature article about the HPC in the Accent or Region section of the paper. This could involve an interview with J. Dockery, the Chair and Vice Chair of the commission and others maybe.

D. Advertise special events and special projects in the paper.

E. Develop a brochure regarding the HPC and set up booths at local fairs and county events.

F. Update the website to include maybe a photograph of the commission members and post information regarding special events and projects.

The above is merely a rough outline of possibilities. We would have to refine those parts that seem appropriate and move on. See what you think. Let me know and I can forward this on to Jessica today. Thanks again. Lea

On Tuesday, November 1, 2016 11:20 PM, Marcus Orr <marcus.orr@gmail.com> wrote:

Thanks again for meeting tonight. I think we have some great ideas that we can move forward with.

I have a couple of artist friends who are very involved in the plein air painting community and will work on developing useful contacts for planning an event similar to one that Rowan County recently hosted in which both amateur and professional artists selected subjects from a list of notable sites in the county. They paid an entry fee, entered their paintings in competition with a professional judging, and concluded with a public exhibition.

Event Details: <http://ncpap.org/events/nc-open-plein-air-paint-out-and-workshop>

Media Coverage: <http://www.salisburypost.com/2016/08/13/nc-plein-artists-paint-rowan-county/>

Winning paintings and examples of sites they used: <http://www.waterworks.org/ncopenpleinair.html>

Rowan County's paint out is an annual event occurring in mid-late August, if we were to host something similar, my artist friend tells me that we would ideally aim for Spring when flowers are in bloom and to avoid competing with them. In my research of their event, I also found where the artist that was judging also conducted a painting class in conjunction with the event. If we followed their example, we could work with county Parks and Rec to host a plein air painting class at Cedarock Park. We could likely garner support from the Alamance County Arts Council to host an exhibition at the conclusion. It would be ideal to secure participation from our registered properties but for variety and appeal to the artists, we would also likely need to include other historic sites or districts within the county. I would like to see an initial event occur this Spring, but we would need to move on it quickly to make that happen.

It would be nice to plan an initial presentation in the community for sometime in the 1st quarter of 2017. One of the easiest forums to arrange may be through the local public library. We need not have a formal presentation, but we could do something as simple as developing a display and print materials that could be put out at other events (Cedarrock historic farm events, Alamance Co. Battleground, historical museum, etc).

Improve our web presence with some graphics...commission group photo, photos of historic properties, etc.

Application for Committee Membership

Submission Date	2016-12-14 12:30:24
Date of Application	12/14/2016
Name of Applicant	Laurie Smith
Are you 18 years of age or older?	Yes
Mailing Address	7722 Garrett Rd
Home Address	7722 Garrett Rd
City	Liberty
ZIP Code	27298
Home Phone Number	3362694447
Employer	Alamance County Historical Museum
Employer Address	4777 NC Highway 62 South
Work Phone Number	3362268254
E-mail Address	62chenova@gmail.com
Have you ever been convicted of a felony?	No
Are you a registered voter in Alamance County?	Yes
Educational Background	MA - Historic Preservation
Are you currently serving on any other boards or committees in Alamance County?	No
Please list any qualifications that you possess that would assist your service on this board or committee	Knowledge of proper documentation of historic buildings.
What impact do you hope to have by serving on this board or committee?	Preservation and documentation of historic buildings and structures.
Ethnicity	White
Gender (Required by State)	Female
Number of Years as an Alamance County resident	33

Residence located in which area of county (Township / City / Area)

Patterson

Board Applied For:

Historic Properties Commission

Date / Time

12/14/2016 11:27 AM

Application for Committee Membership

Submission Date	2016-12-13 10:39:06
Date of Application	12/13/2016
Name of Applicant	Martha C Friddle
Are you 18 years of age or older?	Yes
Home Address	428 Wildlife Club Rd
City	Graham
ZIP Code	27253
Home Phone Number	336.376.6635
Employer	self
Work Phone Number	336.516.3835
E-mail Address	MartiFriddle@gmail.com
Fax Number	336.228.0621
Have you ever been convicted of a felony?	No
Are you a registered voter in Alamance County?	Yes
Educational Background	BA ELon University
Are you currently serving on any other boards or committees in Alamance County?	No
Please list any qualifications that you possess that would assist your service on this board or committee	Strong background in Alamance genealogy, interest in local history
Please list any volunteer or civic activities that you are involved in	Several civic activities through Daughters of the American Revolution, support SAFE foodbank in S. Alamance through church
What impact do you hope to have by serving on this board or committee?	Preservation of local historic sites, working within the established framework of county government
Ethnicity	white
Gender (Required by State)	Female
Number of Years as an Alamance County resident	30

Residence located in which area of county (Township / City / Area)

Albright

Additional Comments

Currently serving on HPC

Board Applied For:

Historic Properties Commission

Date / Time

12/13/2016 10:33 AM

Alamance County

PLANNING DEPARTMENT
215 N. Graham Hopedale Rd.
Burlington, North Carolina 27217
Tel. (336) 570-4053

LIBBY HODGES
Planning Director

JESSICA DOCKERY
Planner

2017 HPC Calendar

All meetings begin at 6 PM.

Meeting location:

Commissioners' Meeting Room
124 W. Elm Street,
Graham, NC 27253

<u>Meeting Date</u>	<u>Agenda Submittal Deadline</u>	<u>Agenda Mail-out/Posting Date</u>
January 10, 2017	1/3/2017	1/5/2017
February 14, 2017	2/7/2017	2/9/2017
March 14, 2017	3/7/2017	3/9/2017
April 11, 2017	4/4/2017	4/6/2017
May 9, 2017	5/2/2017	5/4/2017
June 13, 2017	6/6/2017	6/8/2017
July 11, 2017	7/3/2017	7/6/2017
August 8, 2017	8/1/2017	8/3/2017
September 12, 2017	9/5/2017	9/7/2017
October 10, 2017	10/3/2017	10/5/2017
November 14, 2017	11/7/2017	11/9/2017
December 12, 2017	12/5/2017	12/7/2017
January 9, 2018	1/2/2018	1/4/2018

COA APPLICATION REVIEW GUIDANCE SHEET

The Chair should read:

As Chair of the Alamance County Historic Properties Commission, I would like to explain the procedures used for this hearing. All those wishing to speak are asked to sign the roster at the podium if you have not done so.

This hearing will be considered quasi-judicial. The process is similar to a court proceeding.

First, a staff member of the Planning Department will present an overview of the application. Then the applicant will have an opportunity to speak on behalf of the COA application. Anyone else present to speak on behalf or against the proposed application will be allowed to speak. The applicant may then be given the opportunity to present any rebuttal.

Board members are asked to refrain from questions until each speaker has completed his or her presentation. All testimony is given under oath. In a few moments, I will give the oath to all witnesses as a group.

The proceedings of this Board will be governed by the Historic Properties Commission Ordinance, as recorded.

All witnesses should come forward to the podium, and identify themselves each time they approach the podium or speak after being recognized by the Chair.

Any testimony should be relevant to the *Secretary of the Interior's Standards for Rehabilitation*, the criteria that the Board uses to determine whether to approve an application. Testimony should consist of facts each witness knows, not hearsay.

Any additional written evidence or exhibits must be presented to the Chair (Vice Chair) and a determination will be made whether it should be accepted.

Written evidence or exhibits will be made available for inspection to those present and will be made part of the written record of the meeting. All staff reports and materials submitted at the meeting will be made part of the permanent record with any additions, deletions, and or corrections that may be necessary. All comments are recorded on tape.

If you wish to ask further questions, you may raise your hand and you will be recognized by the chair before speaking. [I would also like to remind everyone in attendance to be courteous and ask questions respectfully. If there are numerous people who will be providing the same or similar testimony either for or against an application, in the interest of time, I would request that you please select a representative to present that testimony.]

I would like to note that Board members may have visited each site under consideration as part of their preparation for this meeting. The Board will vote on each case after the presentation of all the evidence and discussion among themselves concerning the case.

Motions should either recommend approval of the COA, approval of the COA with conditions, or denial of the COA. Conclusions must be made for all decisions.

All those wishing to speak as a witness in the case, please repeat after me:

“You swear (or affirm) that the testimony you shall give to the commission shall be the truth, the whole truth, and nothing but the truth; so help you, God.”

Following is the language for the motion recommended for the Board:

A MOTION FOR RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL OF THE COA:

A COA may be granted by the Historic Properties Commission if evidence presented by the applicant persuades it that the proposed work meets the following Design Guidelines:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

“Based on the stated findings (list/explain specific findings related to the items above), I move that the Historic Properties Commission approves/approves with conditions (list conditions)/does not approve a COA for the application.”

DRAFT

Process Checklist		
Applicant	Smith	Tomberg
Chair introduces application		
Call for motion to open Public Hearing		
Call for Second		
Call for Vote		
Check for conflict of interest on Commission		
Chair swears in applicant and witnesses		
Staff report		
Call for applicant testimony		
Call for testimonies in support		
Call for testimonies in opposition		
Commission questions to applicant and witnesses		
Cross examination by applicant and witnesses		
Chair summarizes facts and evidence		
Call for motion to close Public Hearing		
Call for Second		
Call for Vote		
Commission deliberation		
Call for Motion of Finding of Fact		
Call for Second		
Any discussion?		
Call for Vote		
Call for Motion to Approve/ Approve with conditions/Deny COA		
Call for Second		
Any discussion?		
Call for Vote		

MEMORANDUM

TO: The Alamance County Historic Properties Commission

FROM: Jessica Dockery, Planner

DATE: January 5, 2017

SUBJECT: Issues with CLG and HPC Interlocal Agreements

Recent changes to the Extraterritorial Jurisdiction (ETJ) of Green Level and the Village of Alamance's desire to have a preservation commission of their own have brought some issues with our CLG and HPC interlocal agreements to my attention.

Green Level has expanded their ETJ and the new boundaries now encompass the Griffis-Patton House. Since Green Level is not a signer of our HPC agreement, the landmark is now outside our jurisdiction. I contacted Green Level and they have decided that they would like to sign the agreement but the HPC may need to go through the de-designation process and then re-designate once Green Level has joined. We are still waiting for legal guidance from the UNC School of Government.

The Village of Alamance informed me recently that they have their own preservation commission and do not want to be part of the HPC interlocal agreement with us. After further research it appears that their commission was formed by resolution rather than by ordinance and it may not have the legal standing required to formally designate landmarks and historic districts. We are waiting for guidance from the Historic Preservation Office regarding the status of the commission. If their commission was correctly formed and they do go through the formal withdrawal process then they will no longer be signers of our HPC interlocal agreement and we would no longer have jurisdiction over the L. Banks Holt House or Sunny Side and we would need to de-designate those properties.

Regardless of the outcome of these situations, I suggest that the HPC make revisions to the HPC and CLG agreement to merge the two into the more typical single agreement and add language that provides guidance regarding what happens to the County's local landmarks and historic districts when they are no longer in our jurisdiction. I would also suggest that we ask all previous interlocal agreement signers to sign this new agreement. Those municipalities that had only signed one of the agreements would then be a part of both aspects of the agreement. This would clarify and normalize the HPC and staff's roles with all municipalities.

AGREEMENT DESIGNATING A JOINT HISTORIC PROPERTIES COMMISSION IN ALAMANCE COUNTY AND REQUESTING THAT ALAMANCE COUNTY ACT AS CERTIFIED LOCAL GOVERNMENT

This is an agreement between the County of Alamance and those municipalities located within Alamance County requesting the Alamance County Historic Properties Commission to exercise those powers and duties given to it by the Alamance County Historic Properties Commission Ordinance within their respective planning jurisdictions, as well as act on their behalf as a Certified Local Government.

1. Designation of a Joint Historic Properties Commission

Pursuant to the authority provided in Section 160A-400.1-15. of the North Carolina General Statutes, the County and undersigned Participating Municipalities hereby designate the Alamance County Historic Properties Commission as a joint historic properties commission, to be governed by the provisions set forth in the Alamance County Historic Properties Commission Ordinance, as adopted by the Alamance County Board of Commissioners on May 3, 2004, and as may be subsequently amended. The Commission shall have authority to exercise, within the planning jurisdictions of the Participating Municipalities, all the powers and duties given to it by the Alamance County Historic Properties Commission Ordinance; provided, however, that the Commission shall have authority for issuing Certificates of Appropriateness within a historic district designated within a Participating Municipality's planning jurisdiction only if the County and the Participating Municipality adopt an interlocal agreement providing such authority.

2. County Amendments to the Alamance County Historic Properties Ordinance

If the County proposes any amendment to the Alamance County Historic Properties Commission Ordinance, it will provide each Participating Municipality written notice of the proposed amendment and provide the Participating Municipality a reasonable opportunity to review and comment on the proposed amendment before the County holds a public hearing on the amendment.

3. Funding of Commission

The County will provide the staffing, materials, and funding it deems necessary to support the Commission's basic activities in inventorying historic resources, recommending designation of local landmarks and districts, and providing advice and education about historic preservation.

The County will provide the staffing, materials, and funding it deems necessary to support the Commission's activities in reviewing all applications for Certificates of Appropriateness for designated local landmarks or properties within a local historic district, and enforcing the Certificates of Appropriateness issued for designated local landmarks and properties within a local historic district located within the County's planning jurisdiction and the planning jurisdictions of all Participating Municipalities.

Participating Municipalities will be responsible for paying the cost for signs to be located at local landmarks designated within their planning jurisdictions.

4. Responsibilities of a Certified Local Government

Alamance County will fulfill all of the standards for designation as a "Certified Local Government" contained in the National Historic Preservation Act Amendments of 1980 (P.L. 96-515), and "Guidelines for North Carolina's Certified Local Government Program."

A paid member of the County's staff will be responsible for the County's meeting the responsibilities of the certification agreement to be signed by the County and the Historic Preservation Office, North Carolina Department of Natural and Cultural Resources.

The County will review all proposed nominations to the National Register of Historic Places within its planning jurisdiction and with the planning jurisdictions of all Participating Municipalities pursuant to the Act and according to the procedures in the Guidelines, which are incorporated by reference into this Agreement, and Part II of this Agreement.

The County, as a Certified Local Government, is eligible to receive a portion of the Federal Historic Preservation Fund (HPF) monies set aside for certified local governments (CLGs) provided that it meets the financial management standards contained in the Guidelines. The County may apply for these grants on behalf of Participating Municipalities for eligible historic preservation activities and projects listed in the Guidelines.

County staff will administer the grant on behalf of Participating Municipalities who must provide the funds for the 60/40 matching grant.

5. Amendment of Agreement

This Agreement may not be amended. This Agreement may be superseded by the adoption of a new Agreement by the governing boards of the County and a Participating Municipality.

5. Withdrawal from Agreement

A Participating Municipality may withdraw from this agreement by providing the County 90-day written notice of its withdrawal. The County may terminate this Agreement by providing each Participating Municipality with 90-day written notice of its termination. Any landmarks within the jurisdiction of the Municipality withdrawing from the agreement will become the responsibility of the Municipality provided that they have passed an ordinance to create a local preservation commission. Landmarks in the jurisdiction of Municipalities withdrawing but with no preservation commission will be de-designated by the Alamance County Historic Properties Commission.

7. Entire Agreement

This Agreement constitutes the entire agreement between the Parties, and it supersedes any and all prior representations and agreements, whether oral or written, between the Parties. No such prior representations or agreements may be offered or considered to vary the terms of this Agreement, or to determine the meaning of any of its provisions.

8. Severability

In the event that any provision of this Agreement is declared invalid for any reason by a court of competent jurisdiction, said finding will not affect the remaining provisions of this Agreement.

9. No Third-party Beneficiaries

This Agreement is binding upon all Parties hereto, by and through their officials, agents, employees, and successors. This Agreement is enforceable only by the Parties. No person or entity is intended to be a third-party beneficiary of the provisions of the Agreement for purposes of any civil, criminal, or

administrative action, and accordingly, no person or entity may assert any claim or right as a beneficiary or protected class under the Agreement.

10. Rights of Third-Parties

This Agreement is not intended to impair or expand the right of any person or organization seeking relief against Alamance County, a Participating Municipality, or any officer or employee thereof, for their conduct or the conduct of any officer or employee. Accordingly, it does not alter legal standards governing any such claims by third parties, including those arising from state or federal law. The Agreement does not expand, nor will it be construed to expand, access to any of the Parties' documents, except as expressly provided by the Agreement, by persons or entities other than the Parties.

11. Venue

The Parties will notify each other of any court or administrative challenge to the Agreement. In the event any provision of the Agreement is challenged venue shall be proper and shall lie exclusively in the Superior Court of Alamance County.

12. Effective Date

~~This agreement shall become effective between the County and the adopting Participating Municipality after adoption by both the County Board of Commissioners and the governing body of the respective Participating Municipality. This Agreement been executed below by a duly authorized representative on behalf of both the Alamance County Board of Commissioners and the governing body of the Participating Municipality.~~

XXXXXXXXX, Chairman of the Board of Commissioners
County of Alamance

Date

XXXXXXXXXXXXX, Mayor
City of XXXXXXXX

Date