

**Boone County Historic Preservation Review Board**  
**Meeting Minutes**  
**August 12, 2004**

The Boone County Historic Preservation Review Board met in their regular monthly meeting on the above date in the Old Boone County Clerk's Building behind the Administration Building.

- I. **Call to Order** The meeting was called to order by Chair Pat Fox at 5:11 PM.
- II. **Roll Call** Review Board members present were Chair Pat Fox, Vice Chair Don Clare, Bob Schrage, and Bridget Striker. Also present were Matt Becher representing the Staff of the Boone County Planning Commission; Jan Hancock, Recording Secretary; and guest Jan Garbett.
- III. **Approval of Minutes** The Minutes of the May 13, 2004 Review Board meeting and the minutes of the informal June 10, 2004 meeting were presented for approval. Mr. Clare moved to approve the Minutes as presented. The motion was seconded by Mrs. Striker and approved by all.
- IV. **New and Old Business – Matt Becher**
  - A. **Archaeological Salvage Project in Petersburg** Mr. Becher stated that human leg bones were found while a basement was being dug on Front Street in Petersburg. It was determined that the bones were pre-historic and a salvage operation started the following Thursday. Many volunteers and students came and thirty-five burial sites were excavated. There will be an article in *What's Happening in Boone County* so that people know what was found there. Mr. Clare stated that he, Matt Becher, Dave Geohegan and Shawn Cox met with Judge Moore about this. He brought up in the meeting that a two-year study was done of Petersburg and it was known that there was a good chance of finding human remains there -- but the owner was able to get a Demolition Permit and tear the house down and then they got a building permit – but the Building Inspector did not alert Mr. Becher or anyone else. There is a lack of communication from the Building Inspector. The Building Inspector needs to notify Matt Becher anytime there is a Demolition Permit issued. He stated that the Board needs time to review the situation and come up with alternatives to demolition and, if they still want to take the building down, an archival record needs to be made. He told the Judge in their meeting that it was fortunate that so many people came together for the crisis situation, but it was embarrassing to have all the PhD archaeologists and volunteers leaving their jobs and projects and coming to Petersburg and paying for their own food and lodging while doing the work for free. The county did not offer any funds or equipment. Mr. Clare stated that an emergency crisis fund needs to be established so that the next time such a situation occurs there will be money available. He

stated that there is a Cemetery Plan in place that would have stopped the work and created a 30-foot buffer around the site and the house could not have been built unless the owners paid for the mitigation. Mr. Becher stated that there may be no way to get thirty feet away from a burial in Petersburg because there are so many. Mr. Clare stated that the recent salvage project is a precedent and a deterrent to digging basements. If it had come in through proper channels, the owner would have had to pay for the salvage project. Ms. Fox commented that people would not do that because of the cost and would settle for houses on slabs. Mr. Clare stated that it is the Board's job to see that this does not happen again and that is why he met with the Judge. The Judge is in favor and the ball is in the Judge's court now, but the Board has to keep on top of this. Mr. Becher stated that there may be a meeting with Kevin Costello, Jim Key, and Jim Parsons to talk about how to do things administratively rather than passing local legislation. He stated that Petersburg is National Register eligible and Fiscal Court could declare it an historic area, but that would require permission from the property owners. Mr. Clare stated that Remke's is going to build a market and there are plans to put water and sewer lines through there – which will unearth a lot of remains because there are two Shawnee Indian village sites in Petersburg one on top of the other. The whole area of Petersburg is involved and whenever people dig in Petersburg there will be more bodies found. Ms. Fox suggested only allowing houses on slabs in Petersburg rather than digging basements. Mr. Clare stated that people can be told not to dig and if they dig after that and disturb human remains, it is a felony. Mr. Becher stated that the remains that were unearthed will be reburied. Mrs. Striker stated that the remains could be reburied in the Shawnee burial ground near the Kentucky River or, as Mary Ellen Lucas suggested – and if the Shawnee tribe agrees – they could be reburied in the Petersburg cemetery and there could be a Shawnee ceremony and a memorial. The Board members agreed. Mr. Becher stated that Aurora Casket is willing to donate a couple of caskets. Ms. Fox stated that there are people in Petersburg who do not appear to have correct information about this and questioned ways to provide community education. Mrs. Striker stated that she attended the Pipe Ceremony and a lot of Petersburg residents were there and they know that more than just a few remains were found. She stated that Lynn Gorz from Scheben Library will contact Gwynne Henderson to see if she can come in November and give a preliminary report on the site. Ms. Fox stated that the presentation should be in Petersburg because there are a lot of older people and people who do not have cars. There is a need to bring closure to the situation and educate the residents. The information needs to be brought to them. Mrs. Striker agreed. Mr. Becher stated that there is not an assembly hall in Petersburg and possibly it could be held in a church. Mrs. Striker stated that the Christian Church might be open to having the presentation there. The Board discussed other possible locations for a presentation including Split Rock and the Boone County Extension Center. Ms. Garbett stated that Gwynne created a brochure after the 1998 dig and possibly she could do an update.

- B. Burlington National Register District Followup** Mr. Becher stated that the National Register is going to return the nomination due to a technicality. The nomination was originally created in 1979 and in 1980 the National Preservation

Act revised some of the details. The revision states that if the nomination was done before 1980, you have to go building by building and state why buildings outside of the new boundary are no longer contributing – which was not done in the nomination because no one knew about it. He will have to go back to the original map and then look at the buildings now and see why a building does not contribute to the district. If there is something outside the district, you cannot include it if a line cannot be drawn that makes sense and connects them. It is going to be difficult and time consuming since many buildings have been demolished and some were burned. After the work is done, the nomination will be resubmitted. Mrs. Striker stated that individual nominations can be submitted for buildings outside the district that are contributing.

**C. Walton South Main Street National Register Nomination** Mr. Becher presented the Walton South Main Street National Register Nomination for approval. There being no discussion, Mr. Clare moved to approve the nomination. Mr. Schrage seconded the motion and it was approved by all. After the nomination is signed by Ms. Fox and by the Mayor of Walton, Mr. Becher will submit it in time for the next Kentucky Review Board Meeting.

**D. South Fork Christian Church Cemetery** Mr. Becher stated that about a year ago, he heard from members of the South Fork Christian Church that there were some members in favor of demolishing the old 1870's church building. The church is on South Fork Road near Gallatin County. He asked the Judge and Bruce Ferguson to talk to them about this. The church then applied to build a new building. He was going to document the old building, but it had already been demolished without his knowledge. The only graves shown on the new church plan are on the other side of the road. When Jeanine Kreinbrink did her research there three years ago, graves to the right and left of the church and across the street were mapped. The church has moved graves -- which was not mentioned on the plan submitted to the Planning Commission. One of the descendants, Debra Kay who lives in Georgia, and another descendent who lives in Boone County, are upset about this. Doug Stith was the Funeral Director who prepared the paperwork and signed off on it, but he says that the information is in the hands of the Cemetery Sexton at the church. The Church Sexton has not returned Mr. Becher's calls and it is not known if he has the records or even if there are any records. The State Office of Vital Statistics has some information but not all. He stated that there are two ways to move a cemetery -- it can be done through the Office of Vital Statistics if you can get permission from the last living descendent of everyone buried in the cemetery. If that is not possible, or if there are unmarked graves, then you have to go through Fiscal Court. He stated that there is no evidence that they contacted the descendants. Mrs. Striker stated that there are individual tombstones up on the hill, but there is concern that they are just sitting there and Debra Key believes that there are mass burials under or near the tombstones. She stated that many people in the congregation objected to this, but were not told when it actually happened. Ms. Garbett stated that several years ago, twenty-five graves were dug up from across the street and moved to the right of the church and down the hill from the loose tombstones. Mrs. Striker stated that there are some burials by the guardrail and then the rest of that area is parking lot. She will send Mr. Becher the

photographs she has taken. She stated that there is land a quarter mile away that would have been more than adequate for the church. Mr. Schrage questioned why the matter is not turned over to the Sheriff for investigation. Mr. Clare stated that this Board has filed charges against a developer in the past (Arlinghaus). Ms. Garbett asked if the descendants could file a Class Action Lawsuit. Mr. Clare stated that those in the congregation who were against this would likely come forward if a suit is filed by the descendents.

- E. Archaeology at Hopeful Lutheran Church** Mr. Becher stated that Jeanine Kreinbrink in her study found an 1837 intact foundation corner and is hoping to get volunteers out there this fall to trace it out further.
- F. *Images of America: Burlington Update*** Mr. Becher stated that the book went to the printer last Friday and it will be done in three to six months.
- G. Other** **(1) The Johnson Wilson Cemetery Stewards Association** Mrs. Striker read a letter to the Board from The Johnson Wilson Cemetery Stewards Association which recommends that the Boone County Historic Preservation Review Board and The Johnson Wilson Cemetery Stewards Association partner to lobby improvements to Kentucky regulations and promote awareness of cemetery relocations within the county. Mr. Becher suggested getting this on the Agenda to present to Fiscal Court. Mr. Schrage moved to include the letter in the minutes. Mr. Clare seconded the motion and it was approved by all. **(2) Training Sessions** Mr. Becher distributed information to the Board members regarding upcoming two-day training sessions. The sessions target those who sit on Boards like Newport and Covington that review building change applications, but they are worth attending if the Board members have the time available. Mr. Costello has agreed to pay the \$40 fee. Board members should e-mail Mr. Becher if they are interested in attending. Mr. Schrage is interested in attending and will then discuss the information with the Board. **(3) Board Membership** Mrs. Fox stated that Sharon Elliston will be leaving the Board and the Judge has asked the Board to find a replacement. Mr. Schrage suggested putting the opening in the Newsletter. Ms. Fox stated that Don Miller is interested. Mrs. Striker suggested a business owner in the Burlington Historic District. Mr. Clare suggested Linda Winneberg who is the owner of Cabin Arts. Mr. Becher stated that there is a way for people to apply on line. **(4) Board Retreat** Ms. Fox stated that she would like to have another retreat in order to set goals and review what has been accomplished, or not been accomplished, in the previous year. Following discussion, the Board agreed to have a retreat in February at the Old Courthouse. Mr. Schrage suggested having a facilitator outside of the group.

There being no further business to come before the Board, Mr. Schrage moved to adjourn. Mr. Clare seconded the motion and it was approved by all. The meeting adjourned at 6:30 PM. The next meeting of The Historic Preservation Review Board will be on September 9, 2004 at 5 PM in the Old Clerk's Building behind the Administration Building.

Respectfully submitted,

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Jan Hancock, Recording Secretary

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Matt Becher, Rural/Open Space Planner  
Boone County Planning Commission

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Pat Fox, Chairperson  
Historic Preservation Review Board

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Date