

**Boone County Historic Preservation Review Board**  
**Meeting Minutes**  
**September 9, 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 Vice Chair Don Clare at 5:05 PM. Mr. Clare chaired the meeting until Ms. Fox arrived.
- II. **Roll Call** Review Board members present were Chair Pat Fox, Vice Chair Don Clare, Ted Bushelman, Bob Schrage, and Bridget Striker. Also present were Matt Becher representing the Staff of the Boone County Planning Commission and Jan Hancock, Recording Secretary.
- III. **Approval of Minutes** The Minutes of the August 12, 2004 Review Board meeting were presented for approval. Mr. Schrage moved to approve the Minutes as presented. The motion was seconded by Mrs. Striker and approved by all those present.
- IV. **New and Old Business** – Matt Becher
  - A. **Walton South Main Street National Register Nomination** Mr. Becher stated that there will be a public meeting on September 13, 2004 at 6:00 PM at the Community Building in Walton in regard to the Walton South Main Street National Register Nomination. He does not expect any opposition and it will probably be a brief meeting. Mr. Becher will attend and Mayor Phil Trzop, Marty Perry from the Kentucky Heritage Council, Margo Warminski, and Dave Geohegan will also be there.
  - B. **South Fork Christian Church Cemetery** Mr. Becher stated that he met with the County Attorney J. R. Schrand, Kevin Costello, and Staff Member Todd Morgan who handled the South Fork Christian Church project. They were advised by Mr. Schrand that no local ordinances have been violated and Boone County has no reason to take South Fork Christian Church to court in regard to the cemetery issue. Mr. Schrand is trying to determine if the Health Department should be involved. Mr. Becher stated that Johnson-Wilson Cemetery Stewards Association and the descendents are going before Fiscal Court about the South Fork Christian Church Cemetery at the end of September. Mrs. Striker stated that Johnson-Wilson Cemetery Association is getting bounced between the county and the state. Johnson-Wilson intends to pursue this and may have to hire private legal counsel. She requested the Board's support and stated that Johnson-Wilson has been trying to contact Dave Pollack to see if the Kentucky Heritage Council can also get involved. The Attorney General told them that they have to start with the county. She stated that Jan Garbett documented that at least four individuals were moved

from the South Fork Christian Church property without permission. Mr. Becher stated that the Cemetery section of zoning does not apply to active cemeteries. He stated that the Cemetery Plan was adopted by this Board in 1989 and elements of it became part of the Zoning Code – but what is written in the Zoning Code is not the same as what is in the Cemetery Plan. For example, the Cemetery Plan says “100 foot buffer” and the Zoning Regulations say “30 foot buffer”. Mr. Clare stated that he believes the Cemetery Plan was adopted by Fiscal Court. He stated that this Board has filed criminal charges before. Mr. Becher agreed but noted that the charges were in response to a clear violation of a local ordinance, but a local ordinance has not been broken in this case and the Planning Commission is not going to go to court in regard to a state law. He does not think the Planning Commission’s attorney will get involved. Mr. Bushelman stated that in that case, this Board should not get involved. Mr. Becher stated that this Board is under the Planning Commission but is officially the Historic Preservation Review Board for the county. Mr. Bushelman stated that the Board needs to get some advice about what to do. Mr. Schrage stated that the Board should not be involved in a private lawsuit, but he does not see why the Board cannot report to the police that a law has been broken. Mr. Becher stated that the County Attorney asked if a zoning violation was committed and the answer was “no”. As far as the County Attorney can tell, no local ordinance was broken but it appears that state law was broken. Ms. Striker stated that Johnson-Wilson has been trying to get someone at the state level to help. Mr. Clare stated that this type of thing is going to keep happening and the Board needs a definitive answer as to what actions the Board can take. He questioned what action a CLG can take and stated that the Board also needs to get an answer from Kentucky Heritage Council. Ms. Fox stated that Johnson-Wilson has asked for the Board’s support, but the Board is not prepared to respond at this time. She questioned asking Mr. Costello and a representative from Fiscal Court to come to the next meeting to discuss this. Mr. Clare questioned inviting Cathy Flaig. He stated that he also wants to discuss the Cemetery Plan that was adopted and what is in the regulations. Mr. Becher will ask Kevin Costello and Cathy Flaig to attend the next meeting.

- C. CAMP Training Session Followup** Mr. Becher stated that there was some good information at the CAMP Training Session on August 27. He has a large three-ring binder from the Session and the Board members are welcome to borrow it.
- D. Winter Review Board Retreat** Mr. Becher stated that Mr. Costello would prefer that the Winter Retreat be in January 2005 so that the Board can submit any projects in February in time for the budget review process. He stated that the retreat could be held in the courthouse on the regular meeting date of January 13, 2005. There could be a short business meeting at 4 PM, followed by the retreat until 9 PM with a break for a catered dinner, probably from the County Seat. Mr. Schrage suggested that the retreat be held in a private room at the back of the restaurant. Mr. Becher stated that Mr. Schrage made the suggestion last month that there be a facilitator. Mr. Becher agreed and suggested possibly Pratt Cassidy who was the co-facilitator at the workshop. Mr. Clare stated that he is familiar with Mr. Cassidy and Kentucky Heritage Council always uses him for their conferences. Mr. Becher stated that if he cannot get Mr. Cassidy, he will try to get David

Taylor, John Hildreth, or Daniel Carey. Mr. Schrage stated that Bill Scheyer, who lives in Kenton County, charges about \$300. Mr. Clare stated that the facilitator should be given information ahead of time. The COPE study would be a good place to start.

- E. 2004 – 2005 CLG Grant** Mr. Becher stated that he does not expect to hear back about the 2004 – 2005 CLG Grant in time for the meeting in Walton on September 13. The application was submitted last November. Marty Perry at Kentucky Heritage Council has indicated that we will probably get the money we requested for the next cycle of the grant, which will include up to fifteen individual properties in Boone County. We asked for \$9,000 in federal money and a \$6,000 local match, which is \$1,000 for each of the individual nominations. At the top of the list is the Dr. Crisler house on Orient Street in Burlington and then the McKinney law office. Before he puts out the Request for Proposals, he will need to contact the property owners and make sure they are in agreement. He stated that the Board needs to keep coming up with National Register Projects because they are the top priority for funding. Mr. Clare suggested a Woolper Creek archaeological study. Mr. Becher responded that he does not think that type of project would be funded. He stated that next year he will try to do Petersburg again. Mr. Clare questioned doing a multiple listing National Register Nomination and commented that originally we did sixty sites. Mr. Becher responded that the way it is done has changed. He stated that when David Taylor did it, he had to create a large form that covers the county and then do individual forms for each property. Mr. Becher stated that he can refer back to the large form when doing the individual nominations. Mr. Clare requested a copy of the form.
- F. Other (1) Open House at Split Rock** Ms. Fox stated that Open House at Split Rock will be on October 2. They will have their second annual pig roast. There will be a string band, dancing, and a silent auction. It was a lot of fun last year. She does not know the cost at this time. **(2) Hamilton-Chambers Cemetery/Colonel Abraham-Depew Cemetery** Ms. Striker stated that Johnson-Wilson has heard from Arlinghaus developers that they are interested in donating the Hamilton- Chambers Cemetery in Union and the Colonel Abraham-Depew Cemetery on Williams Road to Johnson-Wilson. Mr. Becher stated that they are required to fence the cemetery before donating it.

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 6:02 PM. The next meeting of The Historic Preservation Review Board will be on October 14, 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