



**HISTORIC PRESERVATION COMMISSION
MEETING AGENDA
August 17, 2022**

Tom Baker Meeting Room	3:00 p.m.	City-County Office Building
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The City of Bismarck encourages citizens to provide their comments via email to planning@bismarcknd.gov. The comments will be sent to the Historic Preservation Commissioners prior to the meeting and included in the minutes of the meeting. To ensure that comments are compiled and forwarded to the Historic Preservation Commission with enough time to review all comments, please submit your comments no later than 12 noon the day of the meeting. Comments should also include which agenda item number or topic your comment references and your name (anonymous

comments will not be forwarded to the Historic Preservations Commissioners or included in the minutes of the meeting). If you would like to appear via video or audio link for a 3-5-minute comment on a public hearing item, please provide your e-mail address and contact information to whutchings@bismarcknd.gov at least one business day before the meeting.

As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM Radio, or stream FreeTV.org and RadioAccess.org

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MINUTES

(Staff note: The minutes of the July 20, 2022 meeting of the Bismarck Historic Preservation Commission will be made available for approval at the September 21, 2022 meeting.)

PUBLIC COMMENT

1. **Public Comment** (The public comment period is available for residents and other interested parties to address items on the agenda or any general public input for consideration by the Historic Preservation Commission.)



REGULAR AGENDA

2. **NDCC 55-02-07 Review Requests: City of Bismarck**
 - a. **Proposed Disposition of Land to BSC**3
Staff recommendation: *Review and Provide Advisory Comments*
 - b. **Proposed Disposition of Land**5
Staff recommendation: *Review and Provide Advisory Comments*

OTHER BUSINESS

3. **Other Business**

ADJOURNMENT

4. **Adjourn:** The next regular meeting date is scheduled for September 21, 2022 at 3:00 PM in the Tom Baker Meeting Room.



MEMORANDUM

NDCC 55-02-07 Review Requests: City of Bismarck Proposed Disposition of Land to Bismarck State College

TO: Chair Sakariassen and Historic Preservation Commission
FROM: Will Hutchings, AICP, Senior Planner
DATE: August 12, 2022

The City of Bismarck has submitted a review request to the State Historical Society of North Dakota under North Dakota Century Code (NDCC) 55-02-07 (*Protection of historical or archaeological artifacts or sites*) for a proposed transfer of land owned by the City to Bismarck State College. The City has been notified that this transfer of land out of City ownership does constitute disposal of property subject to NDCC 55-02-07 and that there are known archeological sites identified.

As a reminder, NDCC 55-02-07.1 (*Protection of prehistoric or historic site locational data*) states:

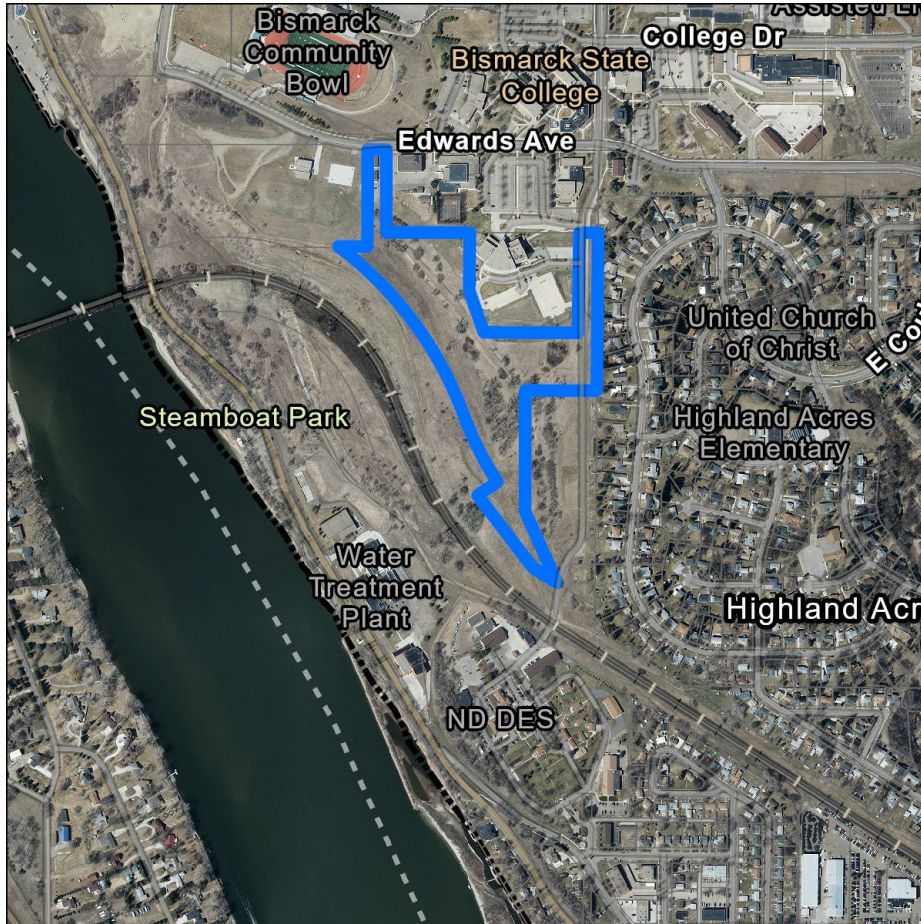
The director of the state historical society may limit access to, and release of, information from files of the state historical society which contain data that specifically identifies the location of archaeological, historical, or paleontological sites in North Dakota. No access to, or release of, information from files that contain site-specific locational data may be made until the director is satisfied that the applicant has a reasonable need for the information contained in those files and professionally acceptable qualifications to assure that release of the information will not result in unnecessary destruction of the resource.

Section 2-12-02 of the City of Bismarck Code of Ordinances – Historic Preservation, Purpose and Declaration of Public Policy states:

It is intended that the Historic Preservation Commission will cooperate with and assist various local, state and federal entities and agencies in the enforcement of local, state and federal legislation to identify, evaluate, designate, and safeguard properties significant in the pre-history, history, architecture, engineering and culture of the community, state and nation.



Staff reminds Commission members to be mindful to protect the location of potential archeological artifacts in publicly accessible meeting exhibits and discussions since the City of Bismarck, as a Certified Local Government, is a cooperative agency in historic preservation with the State Historical Society.



The location of this land is identified in the following map without the locations of any potential archeological artifacts.

PUBLIC NOTICE:
NDCC 55-03 states that whether on private or public land, a permit from the State Historical Society of North Dakota is required for anyone conducting excavation work related to cultural resources.

Staff Recommended Action

Review the proposed disposition and provide any advisory comments to be shared with the State Historical Society of North Dakota.



MEMORANDUM

NDCC 55-02-07 Review Requests: City of Bismarck Proposed Disposition of Land

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FROM: Will Hutchings, AICP, Senior Planner
DATE: August 12, 2022

The City of Bismarck has submitted a review request to the State Historical Society of North Dakota under North Dakota Century Code (NDCC) 55-02-07 (*Protection of historical or archaeological artifacts or sites*) for a proposed sale of land owned by the City. The City has asked whether this transfer of land out of City ownership would constitute disposal of property subject to NDCC 55-02-07 if there are any known archeological sites.

As a reminder, NDCC 55-02-07.1 (*Protection of prehistoric or historic site locational data*) states:

The director of the state historical society may limit access to, and release of, information from files of the state historical society which contain data that specifically identifies the location of archaeological, historical, or paleontological sites in North Dakota. No access to, or release of, information from files that contain site-specific locational data may be made until the director is satisfied that the applicant has a reasonable need for the information contained in those files and professionally acceptable qualifications to assure that release of the information will not result in unnecessary destruction of the resource.

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Staff Recommended Action

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