

HISTORY PROGRAMS

TEXAS HISTORICAL COMMISSION

AGENDA
HISTORY PROGRAMS COMMITTEE
AT&T Executive Education and Conference Center
Grand Salon ABC
1900 University Avenue
Austin, TX 78705
April 26, 2021
12:30 p.m.

Pursuant to the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act due to the Coronavirus (COVID-19), the April 26, 2021 meeting of the History Programs Committee will be held by videoconference as authorized under Texas Government Code section 551.127. The presiding officer and a quorum of the History Programs Committee will be present at the above-posted physical location. The public is invited to attend via Zoom using the registration link provided or in person in accordance with the instructions below.

To attend by Zoom, registration is required: <http://bit.ly/april26thcmeeting>

For audio only access via telephone: 1(346) 248-7799 Webinar ID: 914 0970 3244

To attend in person: In accordance with policies of the meeting facility, facemasks are recommended to enter the building and remain on while in the common area. The THC strongly recommends mask use and social distancing throughout the property and during the meeting. The THC encourages any person experiencing symptoms of illness to attend by videoconference instead of in person.

Digital copies of the meeting materials will be available at www.thc.texas.gov/videoconferences after April 20, 2021. To obtain a recording of the meeting please contact Lynnette Cen after April 30, 2021. The members may discuss and/or take action on any of the items listed in the agenda.

1. Call to Order —*Committee Chair White*
 - A. Committee member introductions
 - B. Establish quorum
 - C. Recognize and/or excuse absences
2. Consider approval of the February 2, 2021 committee meeting minutes
3. Certification of Historic Texas Cemetery Designations (item 8.2)
4. Consider approval of text for Official Texas Historical Markers (item 8.3)
5. Consider adoption of amendments to Texas Administrative Code, Title 13, Part 2, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1156-1160)
 - A. Section 21.3, related to historical marker and monument definitions (item 8.4B)
 - B. Section 21.7, related to historical marker applications (item 8.4C)
 - C. Section 21.12, related to marker text requests (item 8.4D)

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Esther Brickley at (512) 463-5768 at least four (4) business days prior to the meeting so that appropriate arrangements can be made.

6. Consider adoption of new rule, section 21.13 of the Texas Administrative Code, Title 13, Part 2, related to removal of historical markers and monuments, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1160-1162) (item 8.4E)
7. History Programs Division update and committee discussion —*Division Director Charles Sadnick*
8. Adjournment

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Esther Garza at (512) 463-5768 at least four (4) business days prior to the meeting so that appropriate arrangements can be made

TEXAS HISTORICAL COMMISSION

**MINUTES
HISTORY PROGRAMS COMMITTEE**

Teleconference Meeting

February 2, 2020

10 a.m.

(or upon the adjournment of the 9:30 a.m. Archeology committee meeting,
whichever occurs later)

Note: For the full text of action items, please contact the Texas Historical Commission at P.O. Box 12276, Austin, TX 78711 or call 512.463.6100.

1. Call to Order

The meeting of the Texas Historical Commission (THC) History Programs Committee was called to order by Chair Daisy White at 10:02 a.m. She announced that pursuant to the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act due to the Coronavirus (COVID-19), the February 2, 2021 meeting of the History Programs Committee will be held by videoconference as authorized under Texas Government Code section 551.127. Zoom meeting access link (registration required): <http://bit.ly/feb2021committees> or audio only access via telephone at 1-346-248-7799; webinar ID 918 0036 1390. Agenda and meeting materials will be available at www.thc.texas.gov/videoconferences after January 27, 2021. The members may discuss and/or take action on any of the items listed in the agenda.

A. Committee member introductions

Chair White welcomed everyone and called on commissioners to individually state their names and the cities in which they reside. Members in attendance included Commissioners Monica Burdette, Renee Dutia, Lilia Garcia, Laurie Limbacher, and Catherine McKnight.

B. Establish quorum

Chair White reported a quorum was present and declared the meeting open.

C. Recognize and/or excuse absences

Commissioner Burdette moved, Commissioner Limbacher seconded, and the commission voted unanimously to excuse the absence of Commissioners Perini.

2. Consider approval of the October 27, 2020 committee meeting minutes

Commissioner Garcia moved, Commissioner Burdette seconded, and the commission voted unanimously to approve the October 27, 2020 History Programs Committee meeting minutes.

3. Certification of Historic Texas Cemetery Designations (item 6.2)

History Programs Division (HPD) Director Charles Sadnick explained that Historic Texas Cemetery designation helps cemeteries that are at least 50 years old by recording cemetery boundaries in county deed records, which alerts present and future owners of land adjacent to the cemetery of its existence. Sadnick brought forth sixteen cemeteries and recommended that the committee send forward to the Commission to formally certify them as Historic Texas Cemeteries.

Chair White moved, Commissioner Dutia seconded, and the commission voted unanimously to recommend and send forward to the Commission to formally certify the designations as Historic Texas Cemeteries.

4. Consider approval of text for Official Texas Historical Markers (item 6.3)

Sadnick brought seventeen marker inscriptions before the committee for approval. Two of the inscriptions are for Recorded Texas Historic Landmarks (RTHL) and seven are for Historic Texas Cemeteries (HTC). He thanked the Commissioners for reviewing the texts and stated that staff would wait a few days for their suggested revisions before sending the marker inscriptions out to the foundry for casting. Discussion about the new foundry's turn-around time followed. Sadnick explained that the foundry was social distancing within the company during the pandemic which put them behind schedule but recently they completed several markers and have caught up.

Chair White moved, Commissioner Limbacher seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of the final form and text of seventeen (17) Official Texas Historical Markers with delegation authority to the Executive Director of the Texas Historical Commission, working with the Commission chair, to resolve minor textual issues arising after Commission approval.

5. 2020 Undertold Markers topics report and discussion (item 14.2)

Sadnick brought fifteen recommendations to the committee for review for this year's undertold marker topics for discussion. The application cycle ran from November 1st through December 15th of last year and 67 applications from 36 different counties were received. Submissions were sent in from a variety of groups, including CHCs, foundations, an ISD, and other organizations, as well as private individuals. An interdisciplinary review team of THC staff reviewed and scored the topics and met to come to a consensus as to which would be recommended. No comments or objections were made by the Commissioners.

6. Consider approval of filing authorization of amendments to Texas Administrative Code, Title 13, Part 2 for first publication in the *Texas Register* (item 14.3)

A. Section 21.3, related to historical marker and monument definitions

Sadnick brought forth an amendment that provides specific definitions for marker, medallion, monument, and plaque, and revises the definition for Official Texas Historic Marker for accuracy.

Chair White moved, Commissioner Burdette seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of filing authorization of proposed amendments to Texas Administrative Code, Title 13, Part 2, Subchapter B, Section 21.3, related to historical marker and monument definitions, for first publication in the *Texas Register*.

B. Section 21.7, related to historical marker applications

Sadnick brought forth an amendment to the marker application requirements rule to accurately state that a Historic Texas Cemetery may receive a medallion or plaque in addition to a marker.

Chair White moved, Commissioner Limbacher seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of filing authorization of proposed amendments to Texas Administrative Code, Title 13, Part 2, Subchapter B, Section 21.7, related to historical marker applications, for first publication in the *Texas Register*.

C. Section 21.12, related to marker text requests

Sadnick brought forth an amendment to the marker text requests rule that replaces the word “marker” with Official Texas Historical Marker and its abbreviation (OTHM). The amendment also makes it clear that the Commission is evaluating these requests, rather than marker staff.

Commissioner Limbacher moved, Commissioner Burdette seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of filing authorization of proposed amendments to Texas Administrative Code, Title 13, Part 2, Subchapter B, Section 21.12, related to marker text requests, for first publication in the *Texas Register*.

7. Consider approval of filing authorization of new rule, section 21.13 of the Texas Administrative Code, Title 13, Part 2, Section 21.13, related to removal of historical markers and monuments, for first publication in the *Texas Register* (item 14.4)

At the last quarterly meeting in October, the Commission authorized the filing of a new rule outlining a procedure for marker and monument removal requests to come before the Commission. Several comments on the new rule were received, mostly from CHC members, who it became clear did not understand the context of the rule and that a procedure for marker removals had already been in place before the rule. Due to all the commentary, to continue to be good partners with the CHCs, and to try to refine and improve the rule, the initially proposed rule was withdrawn and a new one with a few modifications was brought to the Commission. Sadnick explained that all comments were reviewed and a virtual meeting with all CHCs was scheduled to address their concerns. Executive Director Mark Wolfe started the meeting by providing context on the new rule and explaining that it will make marker removals more difficult rather than easy. Markers were already being removed and this new rule proposal was a way to put a procedure in the administrative code to address these removal requests. Sadnick then addressed and gave feedback on each type of concern in the meeting with the CHCs, including that adoption should be postponed; markers should be difficult to remove (this new procedure puts much onus on the person making the request to convince the Commission that the marker should be removed); additional interpretation should be an option. the Commission would be able to take testimony; stakeholders should have final approval (this concern could not be addressed as the markers are under the Texas Historical Commission and so the agency has the final decision on whether the marker may be removed); sponsors should be reimbursed for the cost of the marker fee (unfortunately, this concern may not be addressed as such fees require legislative authorization; the removal should require two-thirds vote or unanimous decision (this is not required on any other votes for the Commission and so an exception may not be made); and a professional historian should be consulted (the Commission does have a professional historian on the committee). Changes to the new rule include formalizing how and when the CHCs are notified of the initial request and the final decision made. Additionally, wording regarding consent was revised to indicate required consent more clearly by the landowner.

Chair White moved, Commissioner Dutia seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of filing authorization of new rule, Section 21.13 of the Texas Administrative Code, Title 13, Part 2, Subchapter B, Section 21.13, related to removal of historical markers and monuments, for first publication in the *Texas Register*.

8. Consider approval of price changes for 1936 Centennial marker replacement parts (item 14.5)

Sadnick brought forth for approval a price increase for replacement parts for 1936 centennial markers. It has been several years since there was a price increase for markers. With the new foundry, Eagle Sign and Design, the cost for most of the markers stayed the same except for replacement parts for 1936 centennial markers. Discussion followed on who is responsible for restoring the 1936 centennial markers. Statutorily, the Facilities Commission is in overall charge though the agency may not even know about it. The Texas

Historical Commission has over the years used donated funds to help restore the 1936 centennial markers. Though the agency does not have the authority or responsibility to do so, the public looks to the Texas Historical Commission to restore these markers. Chairman Nau will reach out to the Chair of the Facilities Commission about handling the restoration of the 1936 centennial markers. If the Texas Historical Commission takes on the responsibility of restoring the markers, then legislative action will need to be taken to give funding. This will be a good project to take on before the bicentennial anniversary.

Chair White moved, Commissioner Burdette seconded, and the commission voted unanimously to send forward to the Commission and recommend approval of price changes for 1936 Centennial marker replacement parts as recorded in the attached table.

9. History Programs Division update and committee discussion

Sadnick gave an update on the History Programs Division. Every year, CHC Outreach receives annual reports from the County Historical Commissions. This year is unique because of COVID, so staff are particularly interested in seeing the results. Amy Hammons and Nano Calderon dissect the surveys and send portions of them to appropriate THC staff for their own information and occasionally for response. On odd-numbered years, the reporting is accompanied by new appointments. Over the next month or two, staff will be receiving these new appointments. It is quite a time of transition for many of the CHCs, while others remain largely the same in composition.

Cemetery Preservation staff worked diligently developing a Request for Proposal (RFP) on cemetery disaster training as part of the larger disaster funding. HTC Coordinator Carlyn Hammons, took the lead and worked closely with Staff Services and DOA to get post before Christmas. Submissions will be in and evaluated soon.

The agency's statewide preservation plan is a collaborative process that is done every ten years with stakeholders, and staff are at the point where a new one must be developed. History Programs division took the lead in developing the RFP to contract a firm to create the plan. Amy Hammons of CHC Outreach led these efforts, assisted by Alyssa Gerzewski of the National Register program and representatives from each division who sat in on meetings, went out to get answers for questions, spoke with their own divisions to gather information, and then worked with Staff Services to develop the document. It was particularly complicated this time because it includes disaster plan components as well, which that portion will be funded by disaster funding. NPS is currently reviewing the RFP draft, and Staff Services, also, is doing their finals checks and processing to post it. A special thanks to Amy for leading this effort, an additional major project on her plate just before and now during a busy time of year for her program.

Finally, Sadnick gave an update on the Preservation Awards. This year, there is no in-person ceremony at Real Places, but instead there is a virtual presentation. Many thanks to Community Heritage Development Division Director Brad Patterson for taking the lead in envisioning how that would look and organizing it, and Friends of the THC Division Director Anjali Zutshi as well in helping to develop these ideas. Finally, Sadnick thank Communications Division Director Chris Florance and his staff for making this work in a way that will be interesting and effective. It takes a lot of people coming together to make these awards happen.

10. Adjournment

At 10:46 a.m., Chair White called for adjournment, on the motion of Commissioner Burdette moved and seconded by Commissioner Limbacher, the committee meeting was adjourned without objection.

Quarterly Report

History Programs Division
January–March 2021

DIVISION HIGHLIGHTS

Highlights for the History Programs Division (HPD) during this quarter included posting RFPs for cemetery disaster preparedness education and the statewide historic preservation plan; staff participation in the 2021 Real Places Conference; and the opening of the 2021 historical marker application cycle.

COUNTY HISTORICAL COMMISSION (CHC) OUTREACH

This quarter, Amy Hammons and Nano Calderon processed 148 CHC annual reports and 121 CHC appointee rosters. While lower in count than in 2018–19, the information provided is helpful and the submissions generous given the pandemic’s effect on CHC activity. Reports have documented sizable efforts on the part of many appointees. Admirable preservation projects are highlighted over the CHC listserv throughout the year to educate and affirm. Outreach staff also provided other varied and timely content through the listserv, including posts highlighting reporting updates and CHC project descriptions since this quarter is CHC reporting season, and a post to highlight the latest winner of the John Ben Shepperd CHC Leadership Award, Sandy Fortenberry, Lubbock CHC chair. CHC Outreach also participated in Real Places 2021 by hosting an exhibit booth and formal networking room.

HISTORICAL MARKERS

Marker staff is drafting inscriptions for the last of the 2020 topics, and approximately 90 markers are in production at the foundry, with staff continuing to coordinate shipping details since many businesses are closed or have limited hours. Staff is also evaluating 2021 applications submitted in the current application period, which runs through May 15. With many new CHC chairs and marker chairs being reported, marker staff is planning to provide webinars later this year on the marker application process, marker chair responsibilities, and the undertold marker program.

MILITARY HISTORY

Military Sites Program Coordinator, Stephen Cure, worked with local partners to plan Park Day 2021, scheduled for April 10. The event will follow COVID safety guidelines provided by the American Battlefield Trust and include activities at both the Palmito Ranch Battlefield National Historic Landmark and the new Palmito Ranch Battlefield State Historic Site. Following the battlefield’s designation, Cure worked with Historic Sites Division staff to transition responsibilities related to the site. Work continued on the World War I-themed book the agency is developing on Texas contributions to the war and the centennial commemoration. Cure also continued working with Museum Services staff on participation in an informal meeting with statewide partners to discuss the America 250 initiative; provided additional support to Cemetery Program staff in developing biographical sketches of two individuals whose unmarked 19th-century graves were disturbed in Hays County; and responded to inquiries ranging from the Antebellum Period through World Wars I and II.

MUSEUM SERVICES

Museum Services started 2021 with the “Let’s Meet Halfway: Authentic Community Engagement for Local Museums” webinar, which had 542 attendees. The three remaining webinars this quarter—covering the topics of board development, museum leadership, and collections inventories—had 1,989 registrants and 994 attendees. Part one of the 2021 workshop series, “Paving the Way for STEM in History Museums,” in collaboration with the Texas Department of Transportation (TxDOI) and the Bullock Museum, began in March and consists of an instructional webinar followed by an interactive discussion group held three times later in the week. The webinars and additional resources can be found on the STEM in History Museums webpage. The three-week workshop series runs from March 8–April 9. In response to the February winter storm, Museum Services, working with Humanities Texas, developed and sent a survey to Texas cultural organizations to estimate the extent of damage done by the winter storm.

Humanities Texas used the information from this survey to apply for disaster relief funds from the National Endowment for the Humanities. Staff also shared this information with Texas Collections Emergency Resource Alliance, Texas State Library and Archives Commission, Texas Department of Emergency Management, and Heritage Emergency National Task Force.

FEDERAL PROGRAMS

National Register of Historic Places

National Register (NR) staff members Gregory Smith, Alyssa Gerszewski, and Bonnie Wilson processed 15 NR nominations for review at the January State Board of Review meeting, which was held virtually. Approved nominations include those for the El Paso Downtown Historic District, the former sites of two Baylor University campuses in Independence, and eight nominations for buildings proposed for rehabilitation under state and/or federal tax credits, including the Petroleum Building in Big Spring, Borden's Creamery in San Antonio, and the Folgers Coffee plant in Houston. The National Park Service approved six nominations, including those for the Mechanical Laboratory and Power House at Rice University, the West Denton Residential Historic District, and the Port Arthur Downtown Historic District. Smith evaluated eight federal tax credit projects (Part 1 of the application), and 15 state tax credit projects (Part A of the application). Wilson has continued working with the Division of Architecture to complete the THC easements database, and Gerszewski has participated in preparation of the statewide preservation plan. Smith presented in the tax credit program at the Real Places conference and was also a guest lecturer for Professor Ken Hafertepe's Historic Preservation class at Baylor University.

Review of Projects under Section 106 and the State Antiquities Code

Justin Kockritz worked on several major projects this quarter including multiple meetings with the Federal Transit Administration and the Capital Metropolitan Transit Authority regarding the proposed Project Connect transportation plan in Austin and with TxDOT to develop the next statewide programmatic agreement, which will stipulate how TxDOT will consult on their projects under Section 106 of the National Historic Preservation Act. Kockritz also met regularly with Johnson, Mirmiran & Thompson, Inc., regarding the Hurricanes Harvey, Irma, and Maria Emergency Supplemental Historic Preservation Fund grant to conduct historic resources surveys of Aransas, Calhoun,

and Refugio counties. Caitlin Brashear continues to consult frequently with the U.S. Army Corps of Engineers regarding the proposed Sabine Pass to Galveston Bay Program Coastal Storm Risk Management System and Lake Ralph Hall in Fannin County. Charles Peveto assisted in developing and hosting the "Interpreting Churches in Texas" session at the Real Places conference and, with Tracy Hoffman, coordinated with the Galveston Historical Foundation regarding the procedures for reviewing windstorm exemption applications for historic properties. Ashley Salie reviewed approximately 550 disaster recovery projects, including coordinating with the Texas General Land Office regarding several projects with the potential to adversely affect historic properties in Port Arthur, Texas City, and Houston.

HISTORIC HIGHWAYS AND HISTORIC RESOURCES SURVEY

Survey Coordinator Leslie Wolfenden continues to work with volunteers across the state to gather information on resources in historic African American travel guides (i.e., Green Books). She presented on the topic at the Real Places conference; several of the 213 attendees of that session showed interest in volunteering to do research and photography. She conducted the same presentation for the TxDOT Environmental Division's training seminar on February 25. Wolfenden sent out the annual reminder letter to state agencies to report any updates to their historic-age building inventories at the end of February.

CEMETERY PRESERVATION

The Cemetery Program is completing the RFP process for an educational series on disaster preparedness supported by Hurricane Harvey grant funds. Carlyn Hammons is processing 32 Historic Texas Cemetery applications, while Jenny McWilliams continues working with CHCs on county-wide cemetery inventories. Four new history stewards have been accepted to the Stewards Network, now expanded to include historical researchers.

YOUTH EDUCATION

During this quarter, lead educator Linda Miller expanded curriculum resources for school-aged audiences and the general public available on the Learning Resources and Texas History at Home webpages. In addition, Miller continued strategic planning for adopting a digital online learning platform, in collaboration with the Historic Sites Division and Friends of the THC.

TEXAS HISTORICAL COMMISSION

Item 8.2
Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Certification of Historic Texas Cemetery Designations

Background:

During the period from 12/18/2020 to 04/02/2020, 20 Historic Texas Cemetery designations were completed by the staff. All have been recorded in county deed records as being so designated. Your approval is requested to officially certify these Historic Texas Cemeteries:

| County | City | Cemetery |
|-----------|-----------------|--------------------------------------|
| Bell | Seaton | Dyess Family Cemetery |
| Bexar | San Antonio | Herritage Family Cemetery |
| Denton | Aubrey | Wilson Cemetery |
| Denton | Frisco | Landrum Cemetery |
| Denton | Krugerville (v) | Conway Cemetery |
| Fannin | Monkstown | Ragsdale-Richardson Cemetery |
| Fort Bend | Sugar Land | Bullhead Convict Labor Camp Cemetery |
| Goliad | Goliad (v) | Pettus Cemetery |
| Guadalupe | Schertz | Schertz-Cibolo Cemetery |
| Houston | Pennington (v) | Lake Creek Cemetery |
| Montague | Nocona | Nocona Cemetery |
| Montague | Nocona (v) | Red River Station Cemetery |
| Navarro | Powell (v) | Good Hope Cemetery |
| Parker | Garner (v) | Fondren Cemetery |
| Parker | Weatherford (v) | Wright Cemetery |
| Parker | Weatherford (v) | Walker Bend Cemetery |
| Parker | Weatherford (v) | Porter Cemetery |
| Tarrant | Mansfield Area | Gibson Cemetery |
| Webb | Palofax (v) | El Saucillo Ranch Cemetery |
| Young | Fort Belknap | Belknap Cemetery |

Suggested motion:

Move to certify these designations as Historic Texas Cemeteries.

TEXAS HISTORICAL COMMISSION

Item 8.3

Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Consider approval of text for Official Texas Historical Markers

Background:

From January 12, 2021 to April 9, 2021, THC historical marker staff drafted and finalized inscriptions for twelve (12) interpretive markers ready for Commission approval.

Recommended interpretive plaques for approval (12)

| County | Job # | Topic |
|---------------|--------------|---|
| Bastrop | 19BP02 | Paige Private School Society |
| Bee | 19BE01 | NAS Chase Field |
| Bexar | 19BX01 | Charles F.A. Hummel House (RTHL) |
| Cass | 11CS01 | Cass County Courthouse (RTHL)(Replacement) |
| Collin | 19COL04 | Community Independent School District |
| Duval | 15DV02 | El Plan de San Diego (Undertold) |
| Harris | 18HR10 | Radio Station KLVV (Undertold) |
| Harris | 19HR09 | Jackson's Barbershop & Beauty Salon (Undertold) |
| Harrison | 19HS01 | C.G. Lancaster |
| Panola | 19PN01 | Panola College |
| Travis | 19TV01 | Montopolis |
| Walker | 18WA06 | "The Drag": Huntsville's African American Business District (Undertold) |

Suggested motion:

Move to adopt approval of the final form and text of twelve (12) Official Texas Historical Markers with delegation of authority to the Executive Director of the Texas Historical Commission, working with the Commission chair, to resolve minor textual issues arising after Commission approval.

(Note: cast marker inscriptions will be in all caps)

Texas Historical Commission staff (SEM) 5/30/2019, ed (BB) 7/29/19, rev 9/12/19, 10/11/19
27" x 42" Official Texas Historical Marker with post

Bastrop County (Job #19BP02) Subject ED (Atlas 22566) UTM.

Location: Paige, 117 South Main Street

PAIGE PRIVATE SCHOOL SOCIETY

In the late 1800s, the town of Paige operated two schools, the Lutheran School and Farmer School. On May 29, 1895, Paige community leaders John Ebner, Alfred Fuchs, August Fuchs, J.C. Fischbeck, Dietrich Jantzen, Ed Goerner, August Marosko, J.E. Pauls, Albert Orts, Sr. and T.B. Taylor organized the Paige Private School Society in order to build a community school. Each member of the society agreed to contribute at least \$90 toward the project. The next week, the society's president, Albert Orts, Sr., donated half of the Bachman Gin lot for the school site. The two-room schoolhouse with a hallway was completed in September 1895.

German was taught at the new school, with translations in English, until World War II. Baseball was a beloved sport during recess and games were well attended. With each year, the student population grew until the small building could no longer house all grades. The school gradually expanded to include the Christian Church, Holman Hotel and Behrens House for various grades.

The community formed the Paige Common School District in 1907, which evolved to become the Paige Independent School District in 1913. The society deeded the schoolhouse to the Paige school district on March 6, 1914. A bond passed to add a hall and classroom. The schoolhouse was used until a new building was erected in 1953 east of town.

In 1977, the Bastrop Independent School District annexed the Paige district and students transferred to Bastrop or Giddings schools. Although the Paige School closed, its impact and history remain through the memory of students, faculty, trustees and the community.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (ECG) 11/6/2019, ed (BB) 11/24/20
27" x 42" Official Texas Historical Marker with post
Bee County (Job #19BE01) Subject ML (Atlas 22572) UTM;
Location: Beeville, 105 W. Corpus Christi

NAS CHASE FIELD

In 1942, Beeville's Municipal Airport was offered to the U.S. Navy for training naval pilots who would serve in WWII. Naval Auxiliary Air Station Chase Field (NAAS Chase Field) first opened in 1943 as a training facility for U.S. Navy aviators. The base was named for Lt. Commander Nathan Brown Chase (1889-1925), a naval aviator killed in pilot training. The base closed on July 1, 1946, only to reopen on August 14, 1952, with the Navy purchase of the land from the city as a result of the Korean War. The site was officially designated a naval auxiliary air station in 1953. In 1968, Chase Field was redesignated as a Naval Air Station (NAS) with two auxiliary bases, one in Goliad and the other near Tilden. NAS Chase Field was beneficial for the economy of Beeville. When the station opened, local businesses began to flourish with the arrival of military families.

Chase Field was vital to the success of the United States Navy. Numerous naval pilots received their wings at Chase Field including several who would become astronauts. NAS Chase Field instructors also trained more than half of the Navy and Marine pilots who flew in the Vietnam War as well as those who flew in Operation Desert Storm. The base helped keep the city of Beeville thriving for decades. However, in 1993, NAS Chase Field closed and the site developed into Chase Field Industrial Complex, managed by the Beeville Development Agency. Although the closure led to an economic downturn in Beeville and some businesses began to close as the military families began to leave the city, the heritage of NAS Chase Field remains. In addition to aiding the U.S. Military, Chase Field helped shape the community of Beeville into what it is today.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (BB), 5/2/2019, rev 10/11/19, 2/12/20
18" x 28" Official Texas Historical Marker with post
Bexar County (Job #19BX01) Subject (Atlas) UTM:
Location: San Antonio, 309 King William Street

Charles F.A. and Emilie Hummel House

After both of his parents died, four-year-old Charles F.A. Hummel (1854-1935) was adopted by his uncle and aunt, Charles A. and Caroline (Scher) Hummel. Charles F.A. worked with his adoptive father at Charles Hummel and Son Guns and Ammunition. He later served as city treasurer and city auditor and was active in the German community. In 1877, he married Emilie Wagner (1855-1927); the couple had six children. They hired prominent architects James Wahrenberger and Albert Beckmann to design a two-story limestone house, completed in 1884. The Italianate-influenced I-plan house features a projecting pavilion, ornate full-height front gallery, and notable stonework in the quoins and arched masonry windows. The Hummel family owned the house until 1941.

RECORDED TEXAS HISTORIC LANDMARK – 2019
MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)

Texas Historical Commission staff (SEM) 9/4/2019, ed (BB) 11/14/19, rev 5/21/20, 5/27/20, 3/25/21
27" x 42" Official Texas Historical Marker with post

Cass County (Job #11CS01) Subject (Atlas 9812) UTM: 14 000000E 000000N

Location: Linden, SH 11 and FM 125, Cass County Courthouse grounds

CASS COUNTY COURTHOUSE

Dating from before the Civil War, this is Texas' oldest courthouse in active service. Plans to build the courthouse were adopted in September 1859, with contracts finalized in December. Enslaved workmen under J.T. Veal dug clay, and hand-formed and burned more than 400,000 bricks on the nearby branch. The older frame courthouse was removed from the square, and in early 1861 Master Builder L.W. Lissenbee began work on the massive interior chimneys and 31-1/2-inch-thick foundation walls. Final work was ordered paid on July 1, 1861. Meanwhile, Texas had seceded, and the courthouse gained national significance as the distribution point for war provisions to county volunteers. Citizens were called to bring in personal firearms, and a special county war tax paid for gun repair and reissue to volunteers who lacked better weaponry.

In 1905, a 20-foot east wing was added. After a 1908 tornado, an octagonal cupola sat atop the roof until 1917, when skilled architect Stewart Moore gave the building classical porticoes, a rhythmic frieze of triglyphs and metopes, dual steel staircase wings, tile roof, and calcimine façade. In 1933, fire gutted the upstairs courtroom as citizens mobilized to save county records. Using 1934 Public Works Administration (PWA) funds, repairs by Moore's colleague, Fred Halsey, included a third-floor expansion under a robust roof truss, from which the courtroom ceiling and coving are suspended. The 2012 full restoration respects the designs of 1917-18 and 1934, honors the building's heritage, and continues its long tradition as centerpiece of the community.

RECORDED TEXAS HISTORIC LANDMARK – 1967

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (ECG) 10/30/2019, ed (BB) 4/22/20, rev 8/23/20, 3/25/21
27" x 42" Official Texas Historical Marker with post
Collin County (Job #19COL04) *Subject ED (Atlas 22591) UTM:*
Location: Nevada, 611 N. FM Road 1138

COMMUNITY INDEPENDENT SCHOOL DISTRICT

In the latter half of the nineteenth century, Collin County attracted numerous settlers who organized several schools for their children. Eventually these schools consolidated into six separate districts: Josephine, Lavon, Millwood, Mt. Pisgah, McMinn and Nevada. On April 6, 1947, the county school board of trustees of Collin County decided to consolidate these six districts in order to operate one rural high school for the area. Initially, Josephine School District was not part of this newly consolidated district. The town of Josephine wanted to maintain its own school district, but eventually, on July 28, 1947, Josephine ISD was added to the new consolidated district. The town of Nevada was chosen as the site for the high school, which was named Community Rural High School. The name Community was chosen to foster unity among the schools and communities.

In 1974, a new campus was built in a central location to house all grades. That same year, it was decided that Community Rural High School District would become an independent school district and adopt the name it has today, Community Independent School District. The population of this area of Collin County has continued to grow and various new schools have been built to accommodate more students. The district itself has been educating students for over seventy years but many of the schools have been operating in their communities for over 150 years. The district is still providing students throughout the Copeville, Lavon, Nevada and Josephine area with a high level of education.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (LAC), 5/8/19, ed (BB) 11/12/20, rev 3/25/21
27" x 42" Official Texas Historical Marker with post
Duval County (Job #15DV02) Subject RG (Atlas 17173) UTM;
Location: San Diego, 208 E. St. Joseph

EL PLAN DE SAN DIEGO

On January 6, 1915, nine men of Mexican descent met in San Diego, seat of Duval county, and signed El Plan de San Diego, a manifesto calling for political insurrection in response to contemporary social and political events. The proposed rebellion also had international implications, significantly impacting the Mexican revolution and American preparedness for World War I.

El Plan de San Diego called for Mexican Americans, African Americans, Native Americans and Japanese Americans to rise in arms throughout the American Southwest on February 20, 1915, using force to separate Texas, New Mexico, Arizona, Colorado, and California from the U.S. and establish a new nation. Deodoro Guerra, an Hidalgo County merchant, became aware of the plan on January 24, when Basilio Ramos Jr., a signer of the document, attempted to recruit Guerra to join the uprising. Guerra sent word to Hidalgo County law enforcement officials, who arrested Ramos.

Newspaper accounts of the proposed revolt appeared throughout the nation, causing panic and fear to spread. Though nothing happened on February 20, near-daily raids occurred in July in the Lower Rio Grande Valley. Many citizens and law enforcement officials resorted to extrajudicial means to terrorize and murder hundreds, and possibly thousands, of Mexicans and Mexican Americans. At the request of Governor James Ferguson, President Woodrow Wilson began sending soldiers to the U.S.-Mexico border. Tens of thousands of U.S. Army and National Guard troops deployed.

Historians attribute the turmoil from El Plan de San Diego and its period in history to political upheaval and maneuvers from leaders of the Mexican revolution, efforts of Axis powers to keep the U.S. out of WWI, and longstanding ethnic and cultural conflicts between original south Texas settlers of Mexican descent and newcomers.

(2015)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)

Texas Historical Commission staff (TMT) 9/17/2019, ed (BB) 10/16/19, rev 2/12/20, 4/1/20, 12/11/20, 4/2/21
27" x 42" Official Texas Historical Marker with post

Harris County (Job #18HR10) Subject CS (Atlas 22390) UTM:

Location: Houston, 111 North Ennis Street

RADIO STATION KLVL

Radio station KLVL, "*La Voz Latina*" (The Latin Voice), became a beloved sound for many Texans. Entrepreneur Felix Hessbrook Morales (1907-1988), who opened Morales Funeral Home in Houston in 1931, produced Spanish-language radio programming with a goal of operating his own station. Financial issues and a World War II freeze on construction of new broadcast facilities delayed his plans. The Federal Communications Commission (FCC) licensed Morales to broadcast on an amplitude modulation (AM) frequency in 1949. The station's transmitter was located in Pasadena at frequency AM 1480. The first broadcast of KLVL aired on May 5, 1950, in honor of Cinco de Mayo and the birthday of his wife, Angelina (Vera) Morales. The programming included Spanish-language music, news and entertainment. Felix and Angelina's son, Joe Morales (1928-1979), served as an announcer and station manager. KLVL also broadcast on a frequency modulation (FM) channel from 1962-1971.

KLVL gave two notable non-Hispanic men their start in radio broadcasting. African American aviator and veteran C. B. Rice (1919-1973) hosted a groundbreaking morning show called "The Gravy Train" which presented African American news and music. Country music composer and musician, Noble F. "Smokey" Stover (1928-2005), began at KLVL and was inducted into the Country Music Disc Jockey Hall of Fame in 2000. KLVL had two studios, one in the First Pasadena State Bank building and the other next to the Morales Funeral Home. KLVL devoted itself to the Spanish-speaking community of the Texas Gulf Coast and beyond. Nicknamed "Radio Morales" in the Latino community, the station is remembered for its generous charity and community support including a program called "*Yo Necesito Trabajo*" (I Need a Job) to assist the unemployed. In 1997, the Morales family sold the station to another company. Today, KLVL still serves the Houston area on its original frequency.

(2018)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (SEM) 3/17/2020, ed (BB) 11/24/20, rev 3/25/21, rev 3/30/21
27" x 42" Official Texas Historical Marker with post
Harris County (Job #19HR09) Subject BU, AA (Atlas 22704) UTM:
Location: Houston, 7427 N. Main Street

JACKSON'S BARBER SHOP & BEAUTY SALON

In the early 20th century, African American entrepreneurship expanded and many new businesses were established. In cities and towns, these areas included barber shops and beauty salons, which quickly became unique spaces for social discussion and support. Customers could receive barber service and also talk about important issues in the community.

By the early 1920s, the African American community of Independence Heights was thriving with dozens of businesses. In 1954, Alvin E. Jackson (1917-1999) and his family began work on a two-story building which featured a barber shop and two rental apartments. Later that year, Jackson's Barber Shop & Beauty Salon opened.

Jackson's Barber Shop quickly became a meeting place for the community and a symbolic cultural center. Located on historic Church Row, the shop opened its space to church events and meetings, supporting the spiritual needs of the community. During, before and after the Civil Rights era, the barber shop and beauty salon served as a safe space to express and discuss economic, political and social concerns among family, friends and neighbors.

Alvin Jackson, his wife Viola (Roquemore) Jackson and the shop were active in the community through mentor programs, fundraising, free back to school haircuts and involvement with the Houston NAACP. Since the 1950s, Jackson's Barber Shop & Beauty Salon has served the community through its employment of more than 75 barbers and community service to thousands. It remains an important cultural center where generations are brought together with shared and remembered experiences.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (ECG) 10/28/2019, ed (BB) 5/16/20
27" x 42" Official Texas Historical Marker WITHOUT post, attach to masonry
Harrison County (Job #19HS01) *Subject DC (Atlas 22535) UTM:*
Location: Marshall, 110 E. Houston Street

C. G. LANCASTER

Renowned architect Cornelius Granberry Lancaster was born on March 4, 1863, in the city of Marshall. He studied architecture at the Agricultural and Mechanical College of Texas (now Texas A&M University) from 1892-1895, but did not complete his degree. He returned to Marshall, where he began to work as an architect. Lancaster married Donye Birdsong (1866-1954) and the two had six children together. Their son, Jesse Cornelius Lancaster (1901-1992), worked with Cornelius for a few years before moving to Tyler.

In 1895, Lancaster partnered with James Riely Gordon (1863-1937), an architect from San Antonio. The two collaborated on the beaux-arts style Harrison County Courthouse completed in 1901. Lancaster then supervised the construction and was named supervisor of all improvements and repairs of the courthouse during a 1910s renovation.

Lancaster designed a variety of buildings in Marshall, including the Ginnochio Hotel, City Hall and Elks Club Building. He also designed residential, commercial, civic and educational buildings throughout the state. Changes in architectural styles are reflected in his works, from Richardsonian Romanesque to classical revival and art nouveau.

Lancaster's business was forced to close in 1939 due to conditions brought about by the Great Depression. That same year, he went to work as a supervisor for the Works Projects Administration in Dallas. Lancaster passed away on December 1, 1947, but his legacy lives on through the many buildings he designed.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (BB) 7/29/2019, rev 3/25/21
27" x 42" Official Texas Historical Marker with post
Panola County (Job #19PN01) Subject (Atlas 22563) UTM:
Location: Carthage, 1109 W. Panola

PANOLA COLLEGE

Following World War II, new junior colleges were established statewide, part of a one-third increase across Texas in a few years. In 1947, progressive citizens created Panola County Junior College to serve the area. Quintin M. Martin, superintendent of Carthage Schools (and later president of Panola Junior College), helped see the idea through to reality.

The first president, B.W. Musgraves, assembled a faculty of seven teachers and classrooms from surplus World War II military buildings on a 35-acre campus on the west side of Carthage. The school opened in January 1948 with fifty-five students enrolled. Returning veterans utilized the G.I. Bill for higher education and enrollment grew quickly. A \$400,000 bond issue produced two brick buildings: a 350-seat auditorium and an administrative building with classrooms, science labs, offices, a library and 600-seat gymnasium. Student activities included athletics with men's and women's teams named Ponies and Fillies, who in later years won state and national championships. In February 1949, campus newspaper *The Pony Express* stated, "the future looks bright, and Panola Junior College is eagerly looking forward to the years to come."

Enrollment and campus facilities continued to expand in the college's first twenty years. The school integrated in 1964 with the admission of African American students from Carthage's Turner High School. In the 1970s, the college began offering classes in Center and Marshall. In 1995, the Texas Legislature established the college's district to serve Panola, Shelby, Harrison and Marion counties. Technological advances such as distance learning and mobile environments have earned national recognition for the school's digital experience. With an enrollment above 2,500, Panola college continues to make an impact on the region and the nation.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)

Texas Historical Commission staff (ECG) 10/21/2019, ed (SEM) 10/21/19, ed (BB) 2/11/20, rev 8/24/20, 3/25/21

27" x 42" Official Texas Historical Marker with post

Travis County (Job #19TV01) Subject CY (Atlas 22517) UTM.

Location: Austin, 5200 Bolm Road

MONTOPOLIS

The founder of the original community of Montopolis was Jesse Cornelius Tannehill (1797-1863). In 1839, Tannehill, his wife, Jane L. (Richardson) Tannehill (1803-1855), and their children moved to a headright of 4,428 acres on the Colorado River, from which 800 acres was surveyed for the town tract. A deed recorded on July 2, 1839, established the location of a platted town on the left (north) bank of the Colorado River (this marker is located near the center of the original Montopolis town tract). The ambitious settlement was named Montopolis ("mont" Latin for "mountain" and "polis" Greek for "city"). Several families settled in the community. James Smith (1790-1845) was likely the first settler in 1838. His 1841 home is preserved one-half mile west on Boggy Creek Farm.

Tannehill began laying out Montopolis before Edward Burleson laid out nearby Waterloo, which was renamed Austin upon its selection as the Republic of Texas' seat of government. There is evidence that Montopolis was also in the running for this honor. The site selection commissioners chose the Waterloo location one mile from Spring Creek (Barton Springs).

The Montopolis venture died within two years of its conception. The town never appeared on any Travis county map, was never incorporated as a city, and was not recognized by the Republic. By 1841, the partnerships that established Montopolis were dissolved, and the land was sold. Proximity to the growing capitol of Austin and the community of Govalle also contributed to the end of the original Montopolis. Remnants of Montopolis place names persisted in the area of the original town tract into the 20th century. After a post office named Montopolis was established on the right (south) bank of the river, the community that developed around it adopted the name. When the city of Austin annexed that community in the early 1950s, memory of the original town was lost.

(2019)

MARKER IS PROPERTY OF THE STATE OF TEXAS

(Note: cast marker inscriptions will be in all caps)
Texas Historical Commission staff (JJR), 7/23/2019, ed (BB) 5/22/20, rev 3/25/21
27" x 42" Official Texas Historical Marker with post
Walker County (Job #18WA06) Undertold AA, RP, SR, BU, NB (Atlas) UTM.
Location: 1305 13th Street, Huntsville, TX 77340

**"THE DRAG": HUNTSVILLE'S AFRICAN
AMERICAN BUSINESS DISTRICT**

Soon after the Civil War, "The Drag" developed as a residential and commercial section owned by African Americans, roughly bounded by 12th and 14th streets and centered on Avenue M. In 1867, a union church for Baptists and Methodists organized on 14th street as Huntsville's first institution formed by formerly enslaved people. Later, families established St. James United Methodist Church on the original site of the union church. A local lodge of the Grand United Order of Odd Fellows was chartered in Nov. 1882. Several residences and businesses were built around these institutional anchors in what became a predominantly African American enclave.

During the early 20th century, professional and vocational businesses opened to provide resources for the growing African American community. Dr. James A. Johnson developed an assistance plan for low-income people to afford his dental work. K.H. Malone started a grocery store and served as an agricultural demonstration agent for farmers struggling through the Great Depression. Felder Jones' Shoe Shop offered part-time jobs for high school students. He later joined the Cox and Jones Funeral Home and Calvin Lewis' Veterans Cleaners in employing WWII veterans struggling to find work. African American business owners established their own Chamber of Commerce by 1950.

"The Drag" pays tribute to African Americans' success in creating their identity in Walker County. For decades, African American entrepreneurs established a business district that contributed to Huntsville's booming economy. The neighborhood served as a spiritual, informational, financial and educational center for African Americans in Huntsville, empowering the community through an era of segregation.

(2018)

MARKER IS PROPERTY OF THE STATE OF TEXAS

TEXAS HISTORICAL COMMISSION

Item 8.4B

Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Consider adoption of amendments to Texas Administrative Code, Title 13, Part 2, Section 21.3, related to historical marker and monument definitions, without changes to the text published in the February 19, 2021 issue of the Texas Register (46 TexReg 1156-1157)

Background:

The amendments to Section 21.3 provide additional new and revised definitions of terms in chapter 21.

No comments were received regarding the proposed amendments.

The Commission hereby certifies that the sections as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

Suggested motion:

Move to approve adoption of amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.3, related to historical marker and monument definitions, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1156-1157).

TEXAS HISTORICAL COMMISSION

**Texas Administrative Code
Title 13 Cultural Resources
Part II Texas Historical Commission
Chapter 21 History Programs
Subchapter B Official Texas Historical Marker Program**

ADOPTION PREAMBLE

The Texas Historical Commission (Commission) adopts amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.3, related to historical marker and monument definitions. The amendments are adopted without changes to the proposed text, as published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1156-1157). No comments were received regarding the proposed amendments.

The amendments to Section 21.3 provide additional new and revised definitions of terms in chapter 21. These revised definitions identify and define the categories of Commission historical designations so the public is may understand how Commission rules apply to the defined terms.

These amendments are proposed under the authority of Texas Government Code §442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission and Texas Government Code §442.006(h), which requires the Commission to adopt rules for the historical marker program.

No other statutes, articles, or codes are affected by these amendments.

The Commission hereby certifies that the amendments as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TEXAS HISTORICAL COMMISSION

Chapter 13, Chapter 21, Subchapter B. OFFICIAL TEXAS HISTORICAL MARKER PROGRAM

13 TAC §21.3

§21.3 Definitions

When used in this chapter, the following words or terms have the following meanings unless the context indicates otherwise:

- (1) Marker. Markers are informational aluminum signs erected by or with the permission of the Texas Historical Commission.
- (2) Medallion. Medallions are markers displaying a symbol or statement used to identify a property designated by the Texas Historical Commission as a Recorded Texas Historic Landmark, as a State Antiquities Landmark or as a Historic Texas Cemetery, without additional text.
- (3) Monument. Monuments are objects or structures installed to commemorate or designate the importance of an event, person, or place, which may or may not be located at the sites they commemorate. Aluminum markers erected by the Texas Historical Commission are not included in this definition.
- (4) Plaque. Plaques are markers displaying only the name of a cemetery designated as a Historic Texas Cemetery and the date of its establishment.
- (5) Official Texas Historical Marker. Official Texas Historical Markers are those markers, medallions, monuments and plaques the Texas Historical Commission awards, approves or administers. They include centennial monuments the State of Texas awarded in the 1930s; Civil War Centennial monuments from the 1960s; medallions, plaques and markers the commission's predecessor, the Texas State Historical Survey Committee, awarded beginning in 1953; and any markers, medallions, monuments and plaques installed by the Texas Historical Commission beginning in 1973.
- (6) Historical marker application. Historical marker application means a current version of the commission's Official Texas Historical Marker Application Form and all required supporting documentation as required in these rules, program guidelines, criteria and procedures adopted by the commission.

TEXAS HISTORICAL COMMISSION

Item 8.4C
Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Consider adoption of amendments to Texas Administrative Code, Title 13, Part 2, Section 21.7, related to historical marker applications, without changes to the text published in the February 19, 2021 issue of the Texas Register (46 TexReg 1157-1159)

Background:

The amendments to Section 21.7 clarify the type of Official Texas Historical Marker that may be awarded to a Historic Texas Cemetery.

No comments were received regarding the proposed amendments.

The Commission hereby certifies that the sections as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

Suggested motion:

Move to approve adoption of amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.7, related to historical marker applications, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1157-1159).

TEXAS HISTORICAL COMMISSION

**Texas Administrative Code
Title 13 Cultural Resources
Part II Texas Historical Commission
Chapter 21 History Programs
Subchapter B Official Texas Historical Marker Program**

ADOPTION PREAMBLE

The Texas Historical Commission (Commission) adopts amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.7, related to historical marker applications. The amendments are adopted without changes to the proposed text, as published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1157-1159). No comments were received regarding the proposed amendments.

The amendments to Section 21.7 clarify the type of Official Texas Historical Marker that may be awarded to a Historic Texas Cemetery by stating that medallions and plaques may also be awarded as part of the marker approval process.

These amendments are proposed under the authority of Texas Government Code §442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission and Texas Government Code §442.006(h), which requires the Commission to adopt rules for the historical marker program.

No other statutes, articles, or codes are affected by these amendments.

The Commission hereby certifies that the amendments as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TEXAS HISTORICAL COMMISSION

Chapter 13, Chapter 21, Subchapter B. OFFICIAL TEXAS HISTORICAL MARKER PROGRAM

13 TAC §21.7

§21.7 Application Requirements

(a) Any individual, group or county historical commission may apply to the commission for an Official Texas Historical Marker. The application shall include:

- (1) a completed current Official Texas Historical Marker application form;
- (2) supporting documentation as provided in program guidelines, criteria and procedures adopted by the commission;
- (3) an application fee in the amount of \$100.

(b) Historic Texas Cemetery markers. A marker, medallion or plaque may be awarded to a cemetery only if the commission has designated the cemetery as an Historic Texas Cemetery. See §22.6 of this title for information concerning Historic Texas Cemetery designation. Historic Texas Cemetery name and date plaque applications are accepted year-round. The marker must be located either at or immediately adjacent to the designated cemetery.

(c) The following procedures shall be observed for the marker application process. Potential sponsors should check the commission web site at www.thc.texas.gov for current information on the Official Texas Historical Marker Program.

(1) The sponsor must contact the county historical commission (CHC) to obtain a marker application form, to review basic program requirements and to discuss the county's review process and procedures, which differ from county to county. The commission does not mandate a specific review process at the county level, so the sponsor will need to work closely with the CHC to be sure all local concerns and procedures are addressed properly. The CHCs cannot send the application forward until they can certify that the history and the application have been adequately reviewed. Applications for Recorded Texas Historic Landmarks (RTHL) for sites located on private land must include written owner consent of the landowner.

(2) CHC reviews the marker application for accuracy and significance, and either approves the application or works with the sponsor to develop additional information as necessary.

(3) CHC-approved applications are forwarded to the History Programs Division of the commission. Once the application is received by the commission, additional notifications and correspondence will be between the CHC contact and the commission staff contact only, unless otherwise noted.

(4) Commission staff makes a preliminary assessment to determine if the topic is eligible for review and if all required elements are included. The commission will notify the applicant through the CHC once the application has been received.

(5) A \$100 application fee is due within ten days upon notification of receipt.

(6) Additional information may be requested via email. Failure to provide all requested

TEXAS HISTORICAL COMMISSION

materials as instructed will result in cancellation of the application.

(7) Commission staff and commissioners review applications and determine:

(A) eligibility for approval;

(B) size and type of marker for each topic; and

(C) priorities for work schedule on the approved applications.

(8) CHC and sponsor will be notified via email of approval and provided a payment form for the casting of the marker.

(9) The payment must be received in commission offices within 45 days or the application will be cancelled.

(10) Commission staff will write the marker inscription. One review copy will be provided via email to the CHC contact only for local distribution as needed. Inscription review is for accuracy of content only; the commission determines the content, wording, punctuation, phrasing, etc.

(A) Upon approval of the inscription, the CHC contact provides additional copies as necessary for committee, commission, or sponsor review and conveys a single response to the commission.

(B) Upon receipt of emailed approval by the CHC, the commission proceeds with the order.

(C) If changes recommended by the CHC are approved by the commission, staff will send a revised copy for content review. Because inscription reviews are for content only, only two reviews should be necessary to complete this step of the process. Additional requests for revisions are subject to approval by the commission, which will be the sole determiner of warranted requests for changes. Excessive requests for change, or delays in response, may, in the determination of the commission, result in cancellation of the order.

(D) Only the authorized CHC contact - chair or marker chair - can make the final approval of inscriptions at the county level. Final approval will be construed by the commission to mean concurrence by any interested parties, including the sponsor.

(11) After final approval, the order is sent to marker supplier for manufacturing. Subject to the terms of the commission vendor contract, only authorized commission staff may contact the manufacturer relative to any aspect of Official Texas Historical Markers, including those in process or previously approved.

(12) Commission staff reviews galley proofs of markers. With commission approval, manufacturing process proceeds. Manufacturer inspects, crates and ships completed markers and notifies commission, which in turn notifies CHC contact.

(13) With shipment notice, planning can begin on marker dedication ceremony, as needed, in conjunction with CHC, sponsors and other interested parties.

TEXAS HISTORICAL COMMISSION

(14) Information on planning and conducting marker ceremonies is provided by the commission through its web site.

(15) Once the planning is complete, the CHC posts the information to the commission web site calendar.

(16) Commission staff enters marker information into the Texas Historic Sites Atlas at website atlas.thc.texas.gov, an online inventory of marker information and inscriptions.

(d) Application content.

(1) Each marker application must address the criteria specified in §21.9 of this chapter in sufficient detail to allow the commission to judge the merit of the application.

(2) Documentation. Each marker application must contain sufficient documentation to verify the assertions about the above criteria. If the claims in the application cannot be verified through documentation, the application will be rejected.

(e) Limitation of markers awarded.

(1) The commission will set a numerical limit on the number of markers that will be approved annually.

(2) No markers in excess of the limit may be approved except by vote of the commission to amend the limit.

TEXAS HISTORICAL COMMISSION

Item 8.4D

Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Consider adoption of amendments to Texas Administrative Code, Title 13, Part 2, Section 21.12, related to marker text requests, without changes to the text published in the February 19, 2021 issue of the Texas Register (46 TexReg 1159-1160)

Background:

The amendments to Section 21.12 clarify the rules by using more appropriate terminology and moves decision-making regarding marker text requests from staff to Texas Historical Commission commissioners.

The Commission received two comments regarding existing language in Section 21.12. But neither comment referred to the new proposed language. Both comments related to the role of the State Historian, and both mistakenly identified a historian at the Texas State Historical Association as being in that position. Both comments suggested that a panel of three historians is not adequate to review marker challenges. THC believes that a panel of that size continues to be adequate. One person suggested that not all three historians should be from the same university. THC believes that the requirements for appointment to that committee will make it extremely unlikely that all three would be from the same institution. Finally, one person suggested that all meetings of that panel be posted for public attendance. The recommendations of the panel will go to THC staff, not to the commission itself, and they are not acting in the role of an advisory committee under state law, so will not be publicly posted. However, appeals from staff decisions will go to the History Programs Committee, and all meetings of that committee are posted meetings open to public attendance. No changes were made based on these comments.

The Commission hereby certifies that the sections as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

Suggested motion:

Move to approve adoption of amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.12, related to marker text requests, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1159-1160).

TEXAS HISTORICAL COMMISSION

**Texas Administrative Code
Title 13 Cultural Resources
Part II Texas Historical Commission
Chapter 21 History Programs
Subchapter B Official Texas Historical Marker Program**

ADOPTION PREAMBLE

The Texas Historical Commission (Commission) adopts amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, Section 21.12, related to marker text requests. The amendments are adopted without changes to the proposed text, as published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1159-1160).

The amendments to Section 21.12 clarify the rules by using more appropriate terminology and moves decision-making regarding marker text requests from staff to Texas Historical Commission commissioners. In making these changes, the amendments serve a broader purpose of ensuring the accuracy of marker text.

The Commission received two comments regarding existing language in Section 21.12 from Bruce Bayless and Judith Stewart. However, neither comment referred to the new proposed language as published on February 19, 2021 so it is unclear whether the commenters favor or oppose adoption of the amendments. Both comments related to the role of the State Historian, and both incorrectly identified a historian at the Texas State Historical Association as being in that position. Both comments suggested that a panel of three historians is not adequate to review marker challenges. THC believes that a panel of that size continues to be adequate.

[Insert commenter name] suggested that not all three historians should be from the same university. THC believes that the requirements for appointment to that committee will make it extremely unlikely that all three would be from the same institution. Finally, [insert commenter name] suggested that all meetings of that panel be posted for public attendance. The recommendations of the panel will go to THC staff, not to the commission itself, and they are not acting in the role of an advisory committee under state law, so will not be publicly posted. However, appeals from staff decisions will go to the History Programs Committee, and all meetings of that committee are posted meetings open to public attendance. No changes were made based on these comments.

These amendments are proposed under the authority of Texas Government Code §442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission and Texas Government Code §442.006(h), which requires the Commission to adopt rules for the historical marker program.

No other statutes, articles, or codes are affected by these amendments.

The Commission hereby certifies that the amendments as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TEXAS HISTORICAL COMMISSION

Chapter 13, Chapter 21, Subchapter B. OFFICIAL TEXAS HISTORICAL MARKER PROGRAM

13 TAC §21.12

§21.12 Marker Text Requests

(a) A request for a review of the text of any Official Texas Historical Marker (OTHM) that is the property of the State of Texas and which falls under the jurisdiction of the Texas Historical Commission (“Commission”) may be submitted to dispute the factual accuracy of the OTHM based on verifiable, historical evidence that the marker:

- (1) Includes the name of an individual or organization that is not spelled correctly;
- (2) Includes a date that is not historically accurate;
- (3) Includes a statement that is not historically accurate; or
- (4) Has been installed at the wrong location.

(b) A request for review of OTHM text shall be submitted on a form provided by the Commission for that purpose, accompanied by no more than 10 single-sided pages of supplemental material printed in a font size no smaller than 11.

(c) OTHM review requests shall be submitted to the Commission at 1511 Colorado St., Austin, TX 78701; by mail to P.O. Box 12276, Austin, TX 78711; or by email to thc@thc.texas.gov. The Commission will send a copy of the request and supporting materials to the County Historical Commission (CHC) for the county in which the OTHM is located, return receipt requested. In the absence of a formally-established CHC, a copy will be submitted to the county judge, return receipt requested.

(d) The CHC or county judge shall have 10 days from the date of receipt of the request to submit a response to the Commission if they wish to do so. The CHC or county judge’s response shall consist of not more than 10 single-sided pages of material printed in a font size no smaller than 11 and shall be signed by the chair of the CHC or by the county judge.

(e) Within 20 days of receiving the CHC or county judge’s response to the request, or within 30 days of receiving the request itself if there is no CHC or county judge response, the staff at the Commission shall review the information submitted and respond to the requestor and to the CHC or county judge with the staff recommendation in writing, return receipt requested.

(f) During the period previously referred to in Section (e), Commission staff may choose to refer the request to a panel of professional historians for a recommendation.

(g) The panel will consist of three professional historians: 1) the State Historian appointed by the Governor pursuant to Texas Government Code Section 3104.051; 2) the historian appointed by the Governor to serve on the Commission pursuant to Texas Government Code Section 442.002; and 3) a professional historian selected by these two historians from the faculty of a public college or university upon receiving the request. If no professional historian has been appointed by the Governor to serve on the Commission, the Governor’s appointed chair of the Commission or the chair’s designee will serve on the panel in place of that individual. In reaching its decision,

TEXAS HISTORICAL COMMISSION

the panel will review the same information reviewed by the staff, as well as any additional information provided by staff, which shall be no more than 10 single-sided pages of supplemental material printed in a font size no smaller than 11. The panel shall be chaired by the State Historian who shall determine whether the panel will meet in person or deliberate through electronic or other means.

(h) The panel shall develop a written recommendation supported by at least two of its members. The written recommendation of the panel will be delivered to the Commission staff no later than 30 days following the panel's receipt of the background materials as provided above. If the panel is unable to develop such a recommendation, the panel chair shall so report in writing to the Commission's staff within the same 30-day period. Commission staff will consider the panel's report and send their final recommendation to the requestor and to the CHC or county judge within 15 days after receiving the panel's report, return receipt requested.

(i) If the requestor, or the County Historical Commission or county judge are not satisfied with the staff recommendation, they may choose to file an objection with the Commission's History Programs Committee ("Committee"). Such objections must be postmarked no later than 5 days following receipt of the staff recommendation. If no such objection is filed, the staff or panel recommendation with accompanying marker text revisions will be placed on the next consent agenda of the Texas Historical Commission for approval.

(j) Review of objections filed with the Committee shall be based on copies of the same information as was initially provided to the panel of historians under section (g) above. If the matter was not submitted to the panel of historians, the objection shall be based on the material previously submitted by the requestor or requestors and CHC or county judge to the marker staff under sections (b) and (d) above, and on any additional information provided by marker staff, which shall be no more than 10 single-sided pages of supplemental material printed in a font size no smaller than 11.

(k) The Committee shall include the objection on the agenda of its next scheduled meeting, assuming said meeting happens at least 20 days after the objection is received by the Commission. If the 20-day deadline is not met, the objection shall be on the agenda of the following meeting of the Committee.

(l) The Committee may choose to take public testimony on the objection, or not. If public testimony is invited, such testimony may be limited by the Committee chair to a period of time allocated per speaker, per side (pro and con) or both.

(m) The decision of the Committee, along with any recommendation from staff and/or the panel, shall be placed on the consent agenda of the full Commission for approval.

(n) If a request or objection is approved by the Commission, staff will determine if the existing marker requires replacement or if it can be corrected through the installation of a supplemental marker. The cost of such correction shall be paid by the Commission, subject to the availability of funds for that purpose.

(o) With all approved requests or objections, Commission staff will write the replacement text. Markers will be produced by the contracted foundry and production will be subject to the foundry's schedule.

(p) The Commission will not accept subsequent requests or objections that are substantively

TEXAS HISTORICAL COMMISSION

similar to a request or objection that is already going through or has already gone through this request process. A decision not to accept a request or objection under this section may be made by the Executive Director.

(q) A request for review may only be filed against a single marker, and no individual or organization may file more than one request for review per calendar year.

The Commission hereby certifies that the section as proposed has been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TEXAS HISTORICAL COMMISSION

Item 8.4E
Texas Historical Commission
Quarterly Meeting
April 26-27, 2021

Consider adoption of new rule, Section 21.13 of the Texas Administrative Code, Title 13, Part 2, related to removal of historical markers and monuments, without changes to the text published in the February 19, 2021 issue of the Texas Register (46 TexReg 1160-1162)

Background:

The new rule, Section 21.13, provides a process for individuals, groups, and County Historical Commissions (CHCs) to request removal of Official Texas Historical Markers and monuments.

The Commission received one comment regarding new rule 21.13 related to the process of removing and installing markers. This comment suggested that allowing markers to be removed would make it unlikely that any new markers will be installed. The purpose of the new rule is to provide a process for something that is currently taking place without any official oversight by THC. It is not anticipated that adoption of this rule will result in the removal of more markers than are currently being removed without THC approval, and in fact the opposite is anticipated. No changes were made based on this comment.

The Commission hereby certifies that the sections as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

Suggested motion:

Move to approve adoption of new rule, Section 21.13 of the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, related to removal of historical markers and monuments, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1160-1162).

TEXAS HISTORICAL COMMISSION

**Texas Administrative Code
Title 13 Cultural Resources
Part II Texas Historical Commission
Chapter 21 History Programs
Subchapter B Official Texas Historical Marker Program**

ADOPTION PREAMBLE

The Texas Historical Commission (Commission) adopts new rule, Section 21.13 of the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, related to removal of historical markers and monuments, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1160-1162).

The new rule, Section 21.13, provides a process for individuals, groups, and County Historical Commissions (CHCs) to request removal of Official Texas Historical Markers and monuments. The Commission determined that this rule was necessary because no process for removal previously existed. This rule now allows for removal under the Commission's oversight.

The Commission received one comment opposed to new rule 21.13 from Melissa Hughson. This comment suggested that allowing markers to be removed would make it unlikely that any new markers will be installed. The purpose of the new rule is to provide a uniform process for removal subject to the Commission's oversight authority. Several people have requested removal for current markers, but the Commission does not have a process established to consider removal. Even so, the Commission does not anticipate that the adoption of this rule will generate many requests for removal nor should it affect applications for new markers. To this point, the Commission has received very few requests to remove markers. No changes were made based on this comment.

These amendments are proposed under the authority of Texas Government Code §442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission and Texas Government Code §442.006(h), which requires the Commission to adopt rules for the historical marker program.

No other statutes, articles, or codes are affected by these amendments.

The Commission hereby certifies that the amendments as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

TEXAS HISTORICAL COMMISSION

Chapter 13, Chapter 21, Subchapter B. OFFICIAL TEXAS HISTORICAL MARKER PROGRAM

13 TAC §21.13

§21.13 Removal of Markers and Monuments

- (a) Any individual, group, or county historical commission (CHC) may request removal of an Official Texas Historical Marker (“marker”), as defined in §21.3 of this title, or a monument (“monument”) within the Commission’s jurisdiction, as defined in §26.3 of this title.
- (b) With the exception of monuments that are State Antiquities Landmarks or included within the boundaries of State Antiquities Landmarks, which shall follow procedures as described in §191.097 and 191.098 of title 9 of the Natural Resources Code as well as applicable rules adopted thereunder, requests for removal of a historical marker or monument shall include:
 - (1) The name and contact information for the requesting individual, group, or CHC;
 - (2) The name and location of the marker or monument for which removal is requested;
 - (3) Justification for removal of the marker or monument;
 - (4) Narrative history and photographs of the marker or monument;
 - (5) Written owner consent for removal from the landowner for sites not located on state land;
 - (6) A plan explaining how the marker or monument will be removed in such a way as to protect its condition and be delivered to a location approved by THC.
- (c) Marker and monument removal requests shall be submitted to the Commission at 1511 Colorado St., Austin, TX 78701; by mail to P.O. Box 12276, Austin, TX 78711; or by email to thc@thc.texas.gov. The Commission will send a copy of the request and supporting materials to the County Historical Commission (CHC) for the county in which the marker or monument is located, return receipt requested. In the absence of a formally-established CHC, a copy will be submitted to the county judge, return receipt requested.
- (d) The CHC or county judge shall have 30 days from the date of receipt of the request to submit a response to the Commission if they wish to do so. The CHC or county judge's response shall consist of not more than 10 single-sided pages of material printed in a font size no smaller than 11 and shall be signed by the chair of the CHC or by the county judge.
- (e) The Commission’s History Programs Committee (“Committee”) shall consider requests for removal of markers and monuments that are not State Antiquities Landmarks or located within the boundaries of a State Antiquities Landmarks, including those also governed by §17.2 of this title and §442.008(a) of title 4 of the Government Code.

TEXAS HISTORICAL COMMISSION

- (f) The Committee shall include the request on the agenda of its next scheduled meeting, assuming said meeting happens at least 20 days after the request is received by the Commission or expiration of the 30-day review period. If the 20-day deadline is not met, the request shall be on the agenda of the following meeting of the Committee.
- (g) The Committee may choose to take public testimony on the request. If public testimony is invited, such testimony may be limited by the Committee chair to a period of time allocated per speaker.
- (h) Upon consideration of a removal request, the Committee shall make a recommendation to the Commission on whether to approve or deny the removal request. The recommendation of the Committee shall be placed on the agenda of the full Commission meeting immediately following the Committee meeting for approval or denial.
- (i) The Commission shall notify the requesting individual, group, or CHC, and CHC for the county in which the marker or monument is located of the Commission's decision.
- (j) If the request is approved by the Commission, the person who submitted the removal request must arrange for removal of the marker or monument in such a way as to protect its condition, and deliver it to a location approved by THC at the requestor's expense.