

# ASHP NEWS

*Volume Four, Number 1*

*Winter 1992*

## **Conservation, Ethics, and the Law**

**By Lisa Teresi-Burcham**

*(The following is the first in a series of articles on today's legal issues in historic preservation. While presentation of the facts is the main focus, and attempt has been made to broaden preservation's social perspective through recognizing the existence of different and sometimes adjoining views - Ed.)*

Government regulation is sometimes viewed as the nemesis of Historic Preservation. More effort can be exerted fighting legislated restrictions than restoring historic resources. Which raises a question, should preservation work more to conform or to conflict...which paves the truest path toward saving our historic buildings? What about compliance, does it translate into compromised integrity? This is the concern which shadows the recently enacted Americans with Disabilities Act.

Signed into law by President Bush on July 26, 1990 the ADA went into effect January 26, 1992. While the intent of the legislation is to deal with unfair, discriminatory employment policies against people with disabilities it also mandates improved accessibility for the disabled in all commercial facilities, public accommodations and state and local government entities. Facilities effected include hotels, stores, offices and transportation systems. Exceptions are private clubs, religious entities and private homes.

The ADA's impact on historic resources occurs with new construction and alterations. Restoration and alteration projects are now required to be designed "barrier" free. (Barriers are such things as staircases, turnstiles, small toilet stalls, and narrow entrance ways.) In addition, applicable historic buildings must remove existing barriers when it can be accomplished in a "readily achievable" manner, that is, easy to do and at a low cost.

However, if making the altered portion of a "qualified" historic building (i.e. a National Register of Historic Places property or eligible property, or a designated state or local historic property) readily accessible will compromise the integrity and, therefore, the significance of the property then alternative accessibility standards may apply. These standards allow for the provision of goods and services at the door, sidewalk or curb of the effected property. Therefore, special facilities or programs are provided as a substitute for limited access.

In dealing with this concern for increased accessibility some National Trust properties have devised ways to accommodate the special needs of the disabled. An access ramp was supplied for an ancillary entrance to Cliveden allowing the disabled to tour that Revolutionary War property. At Lyndhurst and the Frank Lloyd Wright Home and Studio, videos of areas inaccessible to the disabled have proved popular with more visitors than

just the disabled. (This fact in itself best demonstrates the unanticipated benefits that can result from planning for the needs of special user groups.)

The ADA does provide for an exception to disabled access in the case of historic resources. When a qualified historic building operates a historic preservation program (i.e. a program whose primary purpose is the preservation of a historic property) it will not be required to ensure physical access if: 1) making the structure accessible would threaten or destroy its historic significance and, 2) relocation of the program would result in undue financial, administrative or interpretive burdens. In this case, the property can, instead, adopt an alternative means of program accessibility.

To sum up, all the ADA is requiring is that historic properties and preservationists understand and act upon their responsibilities to the rights of patrons. It is because the funds for restoration work come from charitable donations, state taxes and cookie sales, that preservationists should develop projects sensitive to the needs of all those people who give. Yes, historic house visitors add to the physical problems of wear and tear, yes, they take away from the time and resources devoted to historical investigation and restoration, but they are also the reason we save buildings, the reason the preservation movement still exists. They provide the dollars that ensure the care and perpetuity of  
*(Please see Conservation, p. 5)*



## THE PRESIDENT SPEAKS

By Paula Cook Eckman

Yes that's right, this is Volume Four, Number 1 and it is already March, 1992. If you read past-President Tim Netsch's "The President Speaks" column in our last issue you learned that most of the recent class was graduating and we all were awaiting the influx of the "New Students" to hopefully carry on the tradition of A.S.H.P., not to mention our award winning newsletter. They came, they saw, and they stayed! With our new body of A.S.H.P.'ers, we have ratified our constitution and are now "official," and with our two new editors we are once again embarking on our news letter and accompanying fund raising campaign.

Heretofore, A.S.H.P. has been funded in part from your contributions, University of Oregon Associated Students minimal funding and Betty Crocker in the form of cookies, cupcakes and otherwise indistinguishable "baked goods." This year we have broadened our horizons. April will see the production and distribution of ceramic mugs hall-marking a plaque located on a wall in the Architecture School which speaks about the virtues of a good architecture school as professed by Lucien Campbell. We plan to market these locally and through the A.S.H.P. News for the express purpose of continuing our newsletter and sponsoring trips to conferences such as the Trust conference this past fall in San Francisco, lectures and the like.

A.S.H.P. has slated May 9 for a kick-off to National Historic Preservation Week with a panel/round table discussion on Preservation Ethics. Preservation Week will see us, again, touring the University of Oregon campus. This year, we will be conducting the Campus Development Tour and a new addition, Preservation in Progress. We intend to continue publishing The News per term and anticipate a more global focus as we pool our resources from within our new student population and as usual, a call for articles from YOU, our always supportive readers.

So until next publication, send us articles, send us suggestions, and preservation salutations to you.

*Paula Cook - Eckman*

A.S.H.P. President

P.S. On a more personal note, I'm told I'm the only H.P. student at the U of O to have "tied the knot" while in action; 5 January was the lucky day and Eric Eckman, the lucky man!

## EDITOR'S NOTES

By George Bleekman

It is with great pleasure that Anne and I take over the reins of the A.S.H.P. Newsletter, and with any luck will be able to continue the award winning tradition left to us by our predecessors. We look forward to expanding the scope of the newsletter, and we are actively soliciting articles and news from the Preservation Community, especially from past graduates of the University of Oregon

Historic Preservation Program.

As students of Historic Preservation, we are naturally interested in hearing about the current state of preservation, especially from those working in the field. Historic Preservation is in the midst of great change (one could even call it under siege!), especially in these times of economic uncertainty and social change. Not only are we faced with a dwindling amount of money available for preservation, we are also faced with what I would call a "preservation backlash", especially here in Oregon.

This backlash, lead by grass-roots organizations like Oregonians In Action (more about this group in our next newsletter), is largely fueled by misinformation and a basic lack of education about Historic Preservation. It is up to us, the Preservation Community, to get out and educate, before and during any project we may undertake. With this in mind, we would very much like to hear from you, and how you are helping further the preservation cause.



The new 1991 Historic Preservation students, left to right - George Bleekman, Michelle Dennis, Anne Seaton, Lisa Teresi - Burcham, Ann Girand (seated front), Liz Carter, Matt Meacham. The students were attending an orientation retreat at the University of Oregon Institute of Marine Biology.



**SO YOU GOT THE JOB.....  
CONGRATULATIONS!  
By Paula Cook Eckman**

It was August, I believe, when my old boss from the City of Santa Rosa, California called and informed me of a Historic Structures Report needed ASAP on a building in Santa Rosa which a contractor wanted to move a half a block from the current and original site. A report was first needed by the city to determine the extent of the structure's historicity and the related site for a permit to be issued.

As a starving student, and always eager for work, which equals experience, which equals money, which equals food, I jumped at the chance to add yet another Historic Structures report to my portfolio. With a general idea of the house and what resources to consult, I began my estimate of time required to complete the project as mandated by the city. My contract involved estimated times and costs for photography (3 copies per photo: one to the contractor, one to the city and one to me), a preliminary site plan, research time, write up time and the nifty presentation folder I always provide with my reports. I estimated twelve hours for this particular project assessed at my hourly rate. I signed the "contract" (my proposal, actually) and presented it to the contractor who was hiring me for this project. Sounds great, right? He accepted the proposal I submitted and since we had a deadline, I proceeded with the research and photography. I finished the project, the contractor handed me the money and presto, we were all happy, the building was approved for moving and everybody won. If it were only that easy.

**RULE #1 - Never assume your to-be employer is solvent, upstanding and honest.**

If you're not contracting with an agency or organization (like a city government, for example), it is in your best interest for you to do some preliminary research, not on the structure, but on the person who is

hiring you. Call the Better Business Bureau, or better yet, the State Contractors Licensing Board if applicable. Any licensing board will have public records as to the business habits of your soon-to-be employer. A little effort in the beginning saves much heartburn later.

**RULE #2 - Always have a signature line for each party entering into the contractual agreement.**

Always, always, always have a section on your contract for both your signature and that of the person with whom you are contracting work. Verbal agreements are upheld in

court, but why mess around. Get both signatures and you'll rest easier at night.

**RULE #3 - Never, ever say, "Sure, you can pay me when I deliver the report."**

Specify either 50% to begin and 50% upon completion, or 1/3 to begin, 1/3 midway and 1/3 upon completion. The only problem with the 1/3 approach is the fear that presenting a partially-completed project for mid-payment runs you the risk of having your research and hard work lifted by the person with whom you have contracted. Most people are (Please see Job, p. 4)

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## RESTORATION UNDERWAY



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Shown undergoing restoration, this ca. 1905 Rock Hill School located in Linn County, OR will once again serve as an educational institution for elementary school children. Plans formulated by the Rock Hill School Foundation call for the creation of an interpretive center in this, the third schoolhouse building on this site. Historically this one-room schoolhouse provided for the education of children grades one through eight living in the rural area between Brownsville and Lebanon. Current restoration work includes painting and plastering with the bulk of the exterior restoration to be completed by the end of this summer. The foundation is currently accepting donation, volunteers and information regarding the buildings history. If you would like to assist, contact **David Coen, Rock Hill School Foundation, P. O. Box 118, Brownsville, OR 97327.**

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## INTERNSHIP RESOURCE FILE

The Associated Students of Historic Preservation is creating a resource file containing information about potential internship positions. If you are aware of individuals, organizations, or agencies that provide internship opportunities in historic preservation, please let us know. A brief description of the internship (including focus and responsibilities, supervision provided, full or part time and length of term), when the internship is available, whether or not it is a paid position, and the name, address and phone number of a contact person.

Please send the information to the following address.

A.S.H.P.  
Suite 4, EMU  
University of Oregon  
Eugene, OR 97403

## GRADUATE WINS FELLOWSHIP

Dena Sanford, former editor of the ASHP Newsletter and recent graduate of the University of Oregon's Historic Preservation Program, has been awarded the 1992 Sally Kress Tompkins Fellowship. The fellowship is a joint program of the Society of Architectural Historians and the Historic American Buildings Survey, and carries a \$7,000 stipend, permitting an architectural historian to work on a 12 week HABS project during the summer of 1992. While the project is yet to be determined, Sanford will conduct field research on a nationally significant building, and prepare a written history that will become part of the permanent HABS collection. She will be based in the field, and work in conjunction with a HABS measured drawing team.

The Sally Kress Tompkins Fellowship was established in memory of the former Director of the Historic American Buildings Survey/Historic American Engineering Record, National Park Service.

It is open to recently

graduated and present students engaged in studies related to architectural history. In April, Sanford will travel to the 1992 annual meeting of the Society in Albuquerque, New Mexico, to receive the fellowship.

### JOB (from page 3)

are honest, but remember, we're speaking of that nasty say, 5% or so who just can't be trusted.

So now you're just dying to rush out and contract for a Historic Structures report or a National Register of Historic Places nomination, right? Well, you should rush out and you should be excited! Just remember, what you neglect to mention you leave open for interpretation.

**CASE IN POINT** - The outcome of the project mentioned above was that the contractor began calling me and 'freezing' my work. "No money" he'd say. Then a few days later he'd call

me back and have me continue on the project. This happened a handful of times. I finally stopped calling him to follow up on his financial whereabouts and decided small claims court was the answer. I took the fellow to court, only he didn't bother to show up and I was awarded my money. I still have to collect.

The up side of suing a general contractor is that to be licensed one must post a bond, which is insurance for the "little person" like me to tap when the same contractor fails to pay for services rendered. The best advice for writing a contract is to do your homework. Talk to local consultants not only about contract writing but also about the reputation of those who want to hire you. Make phone calls to licensing boards. Call the better Business Bureau. Above all, cover your bases. Most of the people you'll encounter will be honest and will pay you on time. Just don't wait to be stiffed like I did, Write your contract defensively.



The ca. 1865 Federal style Chapin House was on the itinerary for University of Oregon historic preservation students in January as Ken Guzowski's Cottage Grove survey class visited a number of significant local properties in preparation of their survey work. At present, the fate of the Chapin House, one of the oldest structures in Cottage Grove, is uncertain, although there is growing grassroots effort to save the structure.



## ALUMNI NEWS

By Ken Guzowski

### Alumni Representative

The new and returning students of the Associated Students of Historic Preservation have adjusted to the rigors of the Fall and Winter terms at the University of Oregon. At the last monthly meeting members agreed that they wished to see more interaction between historic preservation alumni and students take place. It is hoped that this column will be a vehicle for beginning such correspondence.

The Historic Preservation Program at the U of O is ten years old and sheltered within the School of Architecture and Allied Arts. Alumni, friends and faculty celebrated this anniversary in October of 1990 with a conference that centered around the theme, "A Place in the Profession: Preservation Practices for the 1990's." The conference was hosted by the ASHP and was considered a success by all participants.

The ASHP was founded in April of 1988 and is dedicated to the preservation of our cultural and architectural heritage, mainly through educational contacts and the publication of the newsletter. One of the five goals of the organization is to develop a strong network among future preservation professionals and with current preservation professionals. Continued contact with the alumni is a logical means of accomplishing this goal.

Characteristically graduates of the Historic Preservation Program have worked as preservation consultants, preservation administrators and planners, preservation craftspersons and building contractors, landscape preservation specialists and historical architects. The program offers substantial training in architectural history, building conservation, and continues to develop research skills among program participants. The interdisciplinary nature of the program, which characterizes the field, allows students to participate in coursework

that will train them in their particular area of interest.

As of 1990 there have been twenty four graduates of the HP Program, and at the end of Fall term 1991, four more graduates joined the alumni ranks. These graduates are Donna Hartmans, Dena Sanford, Timothy Netsch and Patricia Berl Ferrel. Although we know little about most graduates, we realize that we have lost touch with Frank Fiori, Paul Holtz, Thomas Raley, Thada Suttium, Peter Charles and Lauren McCroskey. If readers can supply information on, or addresses of these alumni, it will be appreciated.

ASHP maintains an archive and is interested in adding data on alumni to this collection. Ross Sutherland discusses this project on page 3 of this issue. In future we hope to hear more about the program's alumni, their current work and publications. Additionally, discussion on your thoughts about preservation education will be valuable. We request that alumni address their correspondence to this column so that we may keep you informed of preservation events within the program. It is our goal to feature articles on alumni and friends in future issues of the ASHP News.

### NEW A.S.H.P ARCHIVE By Ross Sutherland

The A.S.H.P Archive was originally established as a repository for materials generated by the A.S.H.P. and the 10th Anniversary Celebration for the Historic Preservation Program the U of O. Since then, the scope has been enlarged to include documentation on the history of the entire H.P. Program and its students. The growing collection currently contains meeting minutes, correspondence and newsletter layouts along with thesis proposals, photographs and event announcements. Scholastic and academic resources are complimented with invitations to events such as the

Easter Bonnet party and Croquet Soiree. Our goal is to document the history of the A.S.H.P. and the H.P. Program with materials which will eventually become available to students and researchers.

To reach this goal we need to collect additional documentation on the H.P. Program by encouraging alumni, faculty and preservation professionals to donate classwork, photographs, clippings and other related materials. We are especially interested in the impressions and experiences of alumni and faculty as well as biographical information and examples of their current work. Preservation Professionals may assist the archive by relating their perception of the program from a state, regional or the national perspective.

As we look ahead to the 15th Anniversary of the H.P. Program and currently acknowledge the 4th anniversary of the A.S.H.P. It is vital that we begin focusing the same care on preserving our own history that we will continually lavish on preserving the history of others.

Send all correspondence and submissions to:

**A.S.H.P Archive  
P.O. Box 3407  
Eugene, Oregon 97403  
Attn. Ross Sutherland**

**CONSERVATION** (from page 1)  
our historic homes, our national landmarks, our sacred battlefields. So, is it really too much to ask...will it always require a federal law...to accommodate, to creatively anticipate, the needs of the people who are our financiers, our advocates, our guests? Ramps and videos shouldn't spell compliance, they should spell  
w - e - l - c - o - m - e .

The ASHP is the publication of THE ASSOCIATED STUDENTS OF HISTORIC PRESERVATION, Suite 4, EMU, University of Oregon, 97403. We actively seek articles, news, and reports related to the discipline of Historic Preservation. Submissions should be sent to George Bleekman or Anne Seaton, editors.

FIRST-CLASS



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the News!**