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**MEMORANDUM OF AGREEMENT**  
BETWEEN THE WISCONSIN STATE HISTORIC PRESERVATION OFFICER  
AND WAUKESHA COUNTY

Regarding the Demolition of the  
GRAND VIEW HEALTH RESORT/MOOR MUD BATHS  
500 Riverview Avenue, City of Waukesha, Waukesha County, Wisconsin  
**WHS CASE #14-0118/WK**

**WHEREAS**, Waukesha County (hereinafter County) plans to demolish the Grand View Health Resort/Moor Mud Baths (hereinafter Baths) as part of the long term planning of the Waukesha County Grounds; and

**WHEREAS**, the undertaking will consist of the staged demolition of the Baths (the Project): Stage 1 will involve the demolition of the boiler room and asbestos remediation. Stage 2 will involve demolition of the remaining Baths; and

**WHEREAS**, the County has defined the action's Area of Potential Effect (hereinafter APE) as the Baths and the immediate environment; and

**WHEREAS**, the Baths are listed in the National Register and State Register of Historic Places, thereby making the Project an action to review under Wisconsin State Statute §§ 44.42 and 66.111; and

**WHEREAS**, the State Historic Preservation Office (hereinafter SHPO) has determined the proposed action will result in an adverse effect to the Baths and has negotiated the subject mitigation plan with the County pursuant to Wisconsin State Statute §§ 44.42 and 66.111.

**NOW, THEREFORE**, the County and the SHPO agree that, upon execution of this MOA, and upon the County's decision to proceed with the Project, the County shall ensure the following stipulations are implemented in order to mitigate the adverse effect of the Project.

I. Stipulations

A. In association with Stage 1 of the demolition, the County will ensure the following measures are carried out:

- a. Restoration: The County shall conduct Stage 1 in accordance with a plan submitted and approved by the City of Waukesha Landmarks Commission. Replacement windows shall have an aluminum frame. The infill material in any openings dating to the period of significance shall be set back in the opening  $\frac{3}{4}$  of an inch so as to maintain the definition of the original opening. Within six (6) weeks of completion, digital photographs of the installation will be provided to SHPO by CD or flash drive to close out this stipulation

b. Photographic Documentation: The County, or its agent, will photographically document the boiler room, and the windows that will be removed prior to demolition.

- Photographs shall be taken in accordance with the most current version of the attached digital image guidelines. See Appendix A for photographic documentation details.
- A minimum of 10 digital photographs, both exterior and interior will be provided to the SHPO by CD or flash drive within six (6) weeks of demolition. See Appendix A for photographic documentation details.

B. When the County proceeds to Stage 2 of the demolition, the County will notify SHPO in writing and ensure the following measures are carried out:

a. Photographic Documentation: The County, or its agent, will photographically document the Baths, and its current setting, prior to initiation of any demolition of the Baths.

- Photographs shall be taken in accordance with the most current version of the National Park Service digital image guidelines. See Appendix A for photographic documentation details.
- A minimum of 20-25 images shall be taken of the interior, exterior and current setting of the property.
- Digital copies of the images will be provided to SHPO by CD or flash drive within six (6) weeks of demolition.
- A hard copy photographs shall be provided to the Waukesha County Historical Society and Museum. The transfer of the photographs to the Waukesha County Historical Society shall be documented by memo, and provided to SHPO to close out the stipulation.

b. Commemorative Marker: The County shall install, and maintain, at or near the original site of the Baths a marker commemorating its historic importance.

- Within six (6) months of written notification by the County to SHPO that the County is proceeding to Stage 2 of the demolition, the County, or its agent, shall apply for a Wisconsin Historical Marker commemorating the historic significance of the Baths.
- The text for the historical marker shall be prepared by the County, or its agent, and approved by SHPO.

- The marker shall be a two-post marker type (Model I or J on the Wisconsin Historical Marker Application Form).
  - The County, or its agent, shall erect the marker within six (6) months of receiving the marker from the manufacturer or upon completion of the demolition, whichever is later.
  - The County, or its agent, shall be responsible for long-term maintenance of the marker.
  - The County shall be responsible for funding all aspects of the marker, including the purchase, installation, and long-term maintenance costs.
- c. Historical Display. A display regarding the history of the Baths shall be maintained by the County in the County's Health and Human Service's building.
- d. Salvage Opportunity. The County shall permit the Waukesha County Historical Society to tour the Baths prior to initiation of the Project to determine whether there may be architectural, stylistic, historic, or other physical elements of the building that it might wish to salvage for its archives, museum and/or public display.
- If salvage is desired and possible, the County, or its agent, shall provide a memo to SHPO noting what was taken and when it was salvaged.
  - If salvage is desired but not possible, the County, or its agent, shall provide a memo detailing why it is not possible.
  - If salvage is not desired, the County, or its agent, shall so notify SHPO in writing.
- e. Website Documentation. Within six (6) months of written notification by the County to SHPO that the County is proceeding to Stage 2 the County shall create a website presenting the history and development of the Bath's grounds from the construction of the property to its use by the County. The website will be maintained for a minimum of 5 year from date of launch. See Appendix B for website review details.

## II. Duration

This MOA will expire upon completion of the Project, or seven (7) years from the date of execution of this MOA, whichever comes first. Prior to such time, any signatory or invited signatory may consult with other such signatories to reconsider the terms of the MOA and amend it in accordance with IV below.

### III. Monitoring and Reporting

Following the execution of this MOA the County will provide WHS with evidence of work undertaken pursuant to its terms. The County will make all efforts required by law to verify compliance, and provide periodic updates detailing the work undertaken to satisfy the stipulations of said agreement, at least quarterly with the first such report due three (3) months from the date of the final signature of this MOA, to all parties to this MOA,

### IV. Amendments

This MOA may be amended when such an amendment is agreed to in writing by all signatures. The amendment will be effective on the date a copy signed by all signatories is filed with WHS.

### V. Termination

If any signatory to this MOA determines the terms of this agreement will not, or cannot be carried out, that party shall immediately consult with other parties to attempt to develop an amendment per IV above. If within thirty (30) days, or another time period agreed upon by all signatories, an amendment cannot be reached, any signatory may proposed to terminate the subject MOA.

Once the MOA is terminated, and prior to work continuing on the undertaking, the County and SHPO shall negotiate and execute another MOA pursuant to Wisconsin Stat. §§ 44.40.

[Signature Pages Follow]

**SIGNATORIES:**

**WAUKESHA COUNTY**

By:   
Allison Bussler, Director  
Waukesha County Department of Public Works

Date: Jan. 21, 2020

**WISCONSIN STATE HISTORIC PRESERVATION OFFICER**

By:   
Daina Penkiunas, Ph.D  
State Historic Preservation Officer

Date: 1/27/2020

Appendix A: Photographic Documentation

Photographs will be labeled per current National Park Service and SHPO standards

- Images will be taken with a digital SLR camera set to the highest quality.
- Each image will be at least 2,000 pixels on the longest side or at least 300 pixels per inch.
- Image file sizes will exceed 3MB (uncompressed)
- Images will be saved as uncompressed JPEGs and will not be cropped, compressed, upsampled, or otherwise digitally altered.
- CDs should be “closed out” and readable on multiple computers.

## Appendix B: Website Documentation

- The County will hire a qualified historian to research and draft the narrative history of the Baths from its construction to its demolition. The website should also include historic, and recent photographs, and historic documents such as plans, maps, periodicals, and advertising.
- Within six (6) months of notification by the County to SHPO that the County is proceeding to Stage 2 of demolition, a draft of website content will be submitted to SHPO staff for review and comment. SHPO will have 30 days to complete review.
- SHPO staff can request an additional round of review of the material. This review will also be 30-days.
- Website will be launched within one (1) year of notification by the County to SHPO that the County is proceeding to Stage 2 of demolition.
- A memo detailing the launch and web address to the website will be provided to SHPO staff to close out the stipulation.