



FLI-BACK TOY FACTORY LOCAL LANDMARK REPORT

710 West Green Drive
High Point, North Carolina 27260

Application for Guilford County Local Landmark Designation
Prepared by Gate City Preservation L.L.C.
February 2022



Guilford County Planning & Development Department

Guilford County Historic Preservation Commission

HISTORIC NAME(S) OF PROPERTY

Fli-Back Toy Factory
Fli-Back Building

ADDRESS OF PROPERTY

710 West Green Drive, High Point, North Carolina 27260

PIN # 6890928227

DEED BOOK & PAGE # 4429-01518

PLAT BOOK AND PAGE # N/A

ZONING HI

Amount of land/acreage to be designated

0.26 acres

Interior to be designated

Yes No

Property Owner’s Address & Phone:

Rudi Nijssen (Eric O’Leary Project Lead)
501 South Centennial Street
High Point, North Carolina 27260

E-mail

eric.oleary@tariki.com
rudi@schwnunghome.com

Applicant’s Address & Phone:

Gate City Preservation L.L.C.
211 Tate Street
Greensboro, North Carolina 27403

E-mail

samantha@gatecitypreservation.com

The application is due no later than twelve noon (12 noon) on the **last** Tuesday of the month, 21 days before the regularly scheduled meeting held on every third (3rd) Tuesday of the month. Please address to:

**Guilford County Planning Department
ATTN: Historic Preservation Commission
PO Box 3427
Greensboro, NC 27402**

II. Maps and Floor Plans

Guilford County Tax Map

The screenshot displays a GIS Data Viewer interface. On the left, a search bar shows the address "THAYERCRAFT INDUSTRIES 716 W GREEN DR". Below the search bar, there are navigation and utility buttons: "Zoom all", "Mailing labels", "CSV", "Table view", and "Clear". A "Zoom to" button is also present. The main information panel lists the following details:

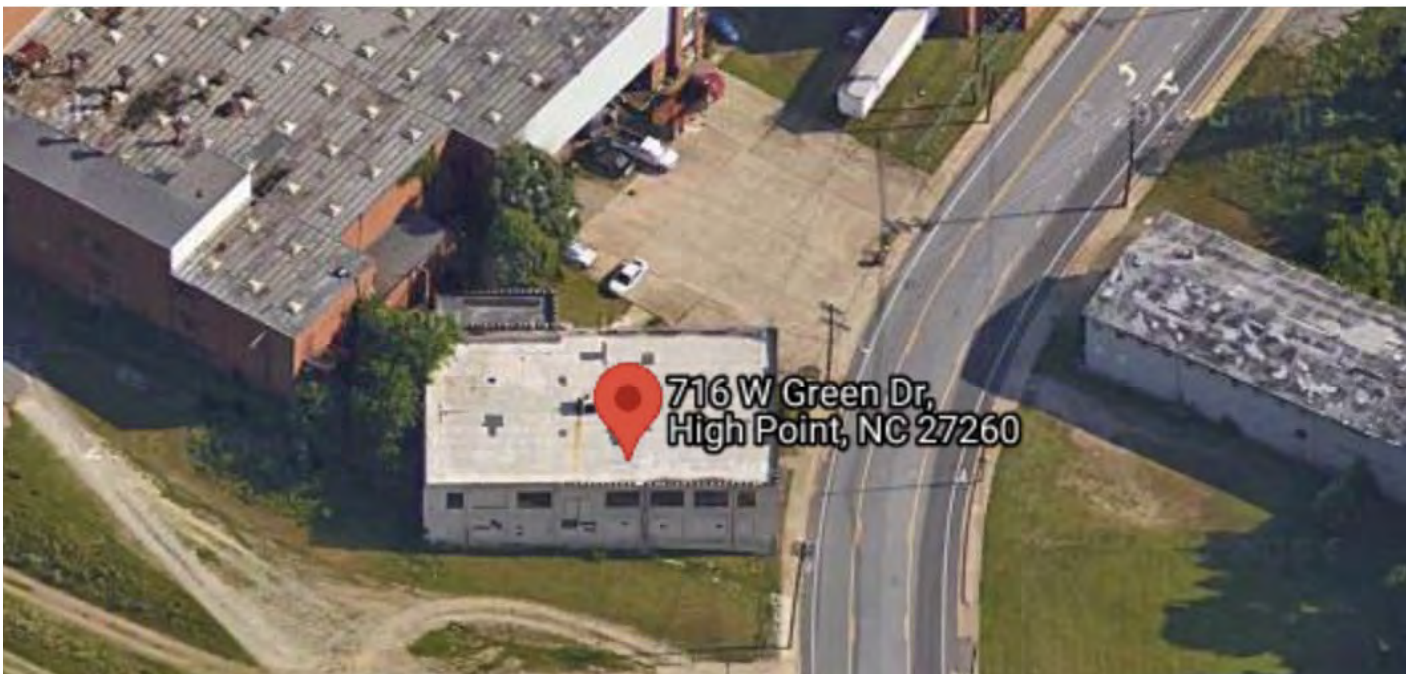
| | | |
|-------------------------------|---|--------------------------------|
| Property Report | Community Info | |
| Water Quality | Neighborhood Sales | |
| Parcel Verify | Tax Appraisal Information | |
| Tax Bill | Map Links | Oblique Photos |
| Parcel Number | 172331 | |
| PIN | 6890928227 | |
| Owner | THAYERCRAFT INDUSTRIES | |
| Owner History | Card Image | |
| Mail Address | 710 W GREEN DR | |
| Mail City | HIGH POINT | |
| Mail State | NC | |
| Mail Zip | 27260 | |
| Property Address | 716 W GREEN DR | |
| Legal Description | W GREEN DR | |
| Deed | 004429-01518 | |
| Plat | | |

The right side of the interface shows an aerial photograph of the property, outlined in orange. The top navigation bar includes "GIS Data Viewer", "Quick Search", "Identify", "Street View", "Community Info", "Map Themes", and "Print".

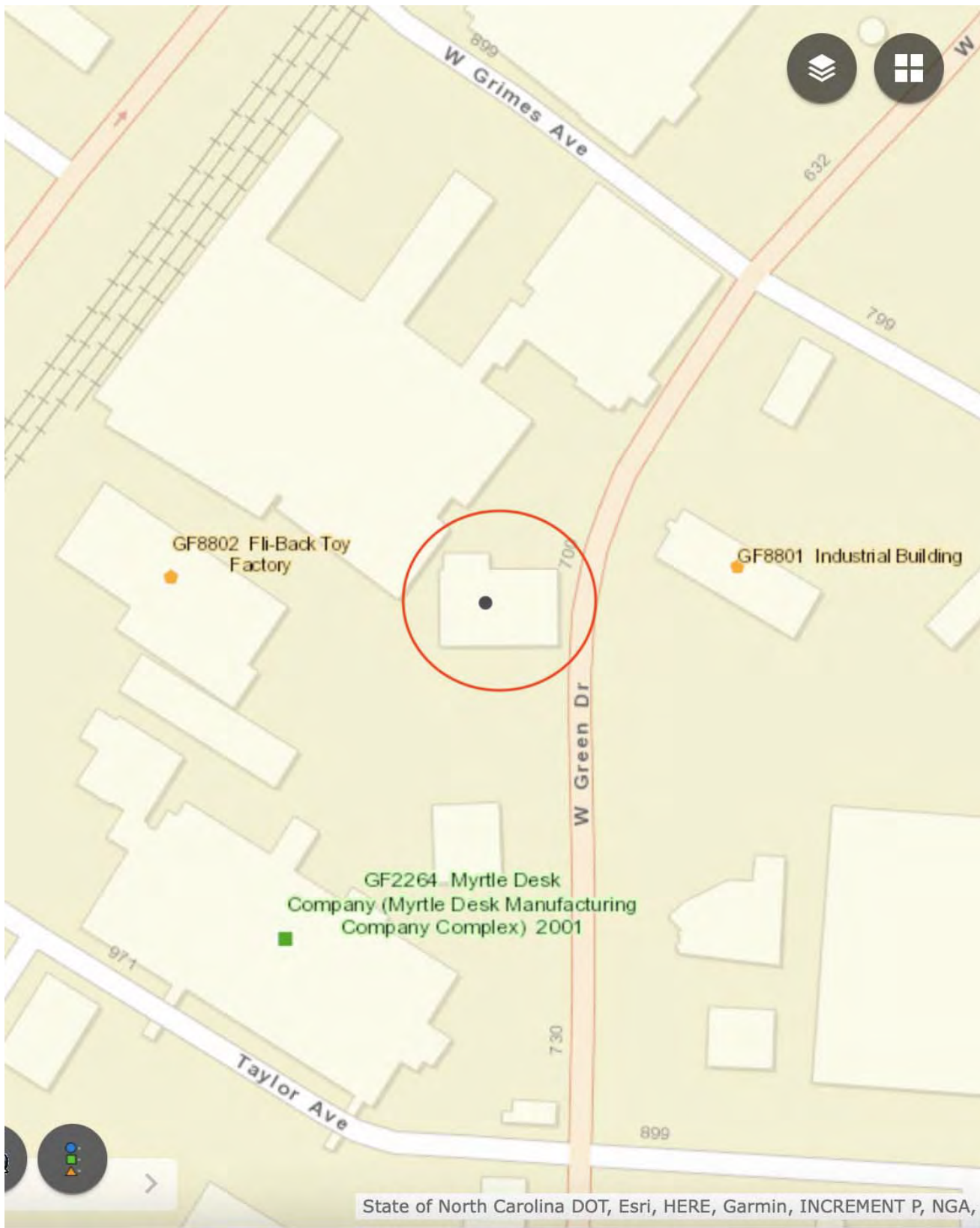
Aerial Map



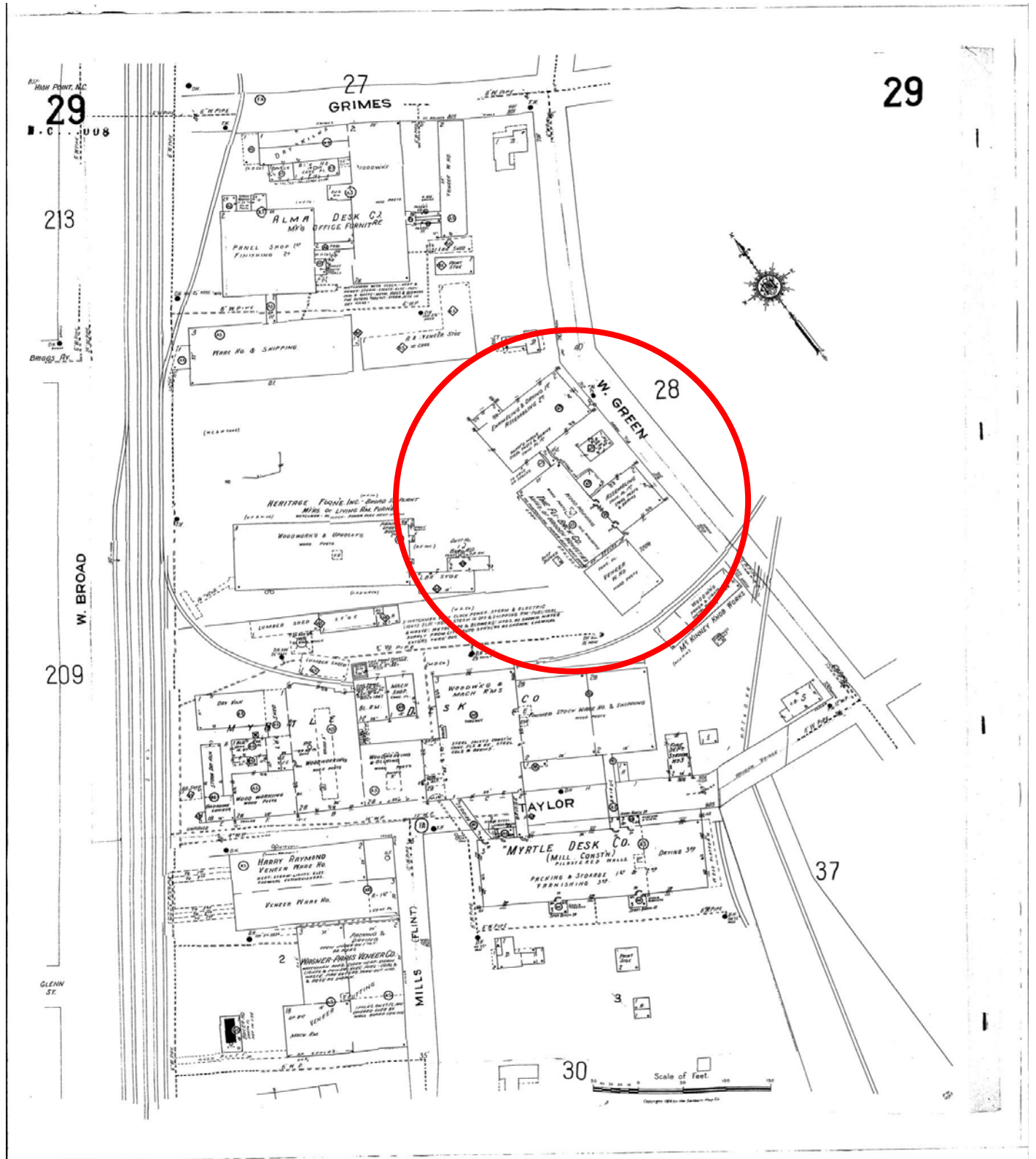
Aerial View



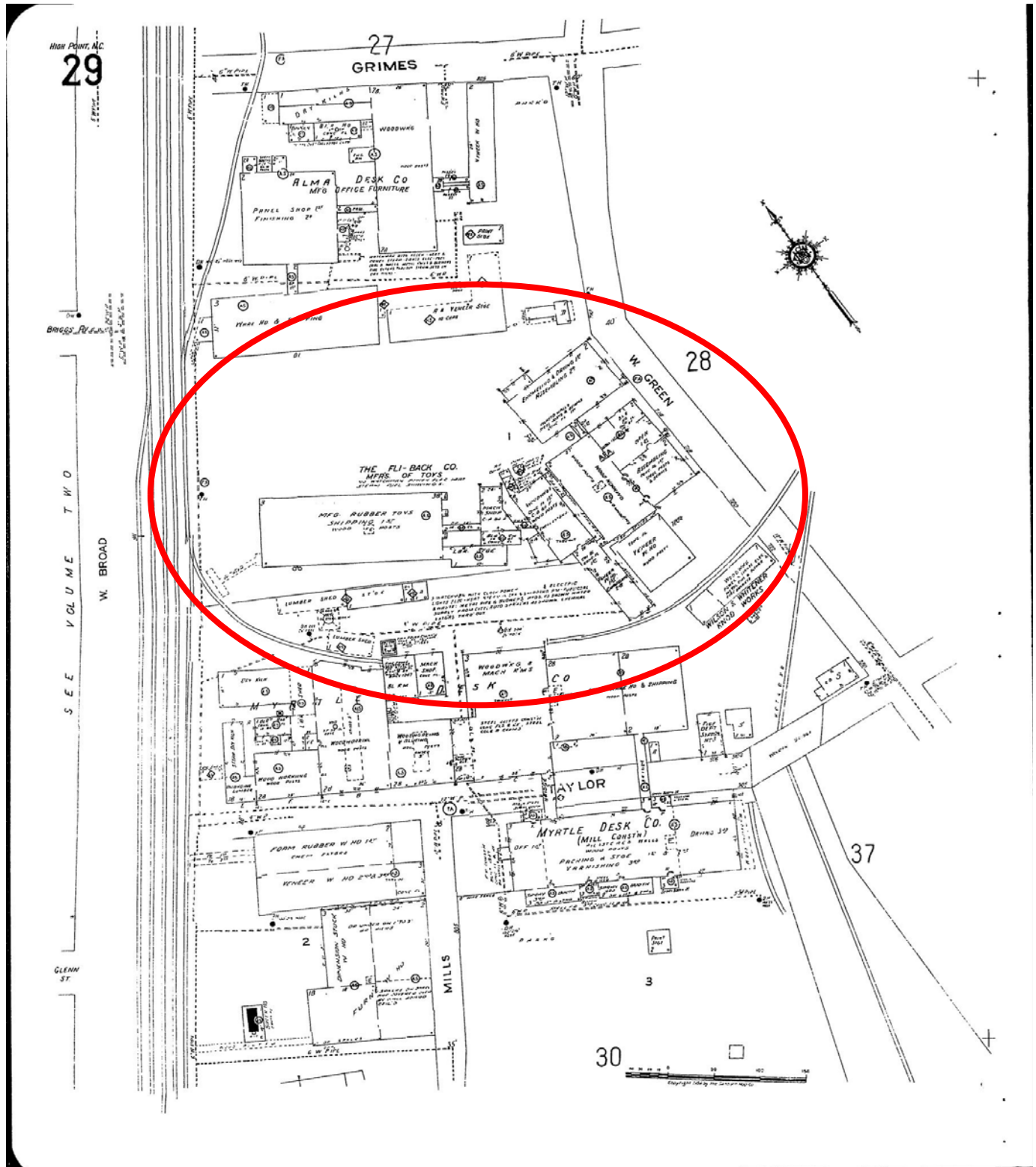
HPOWeb Map



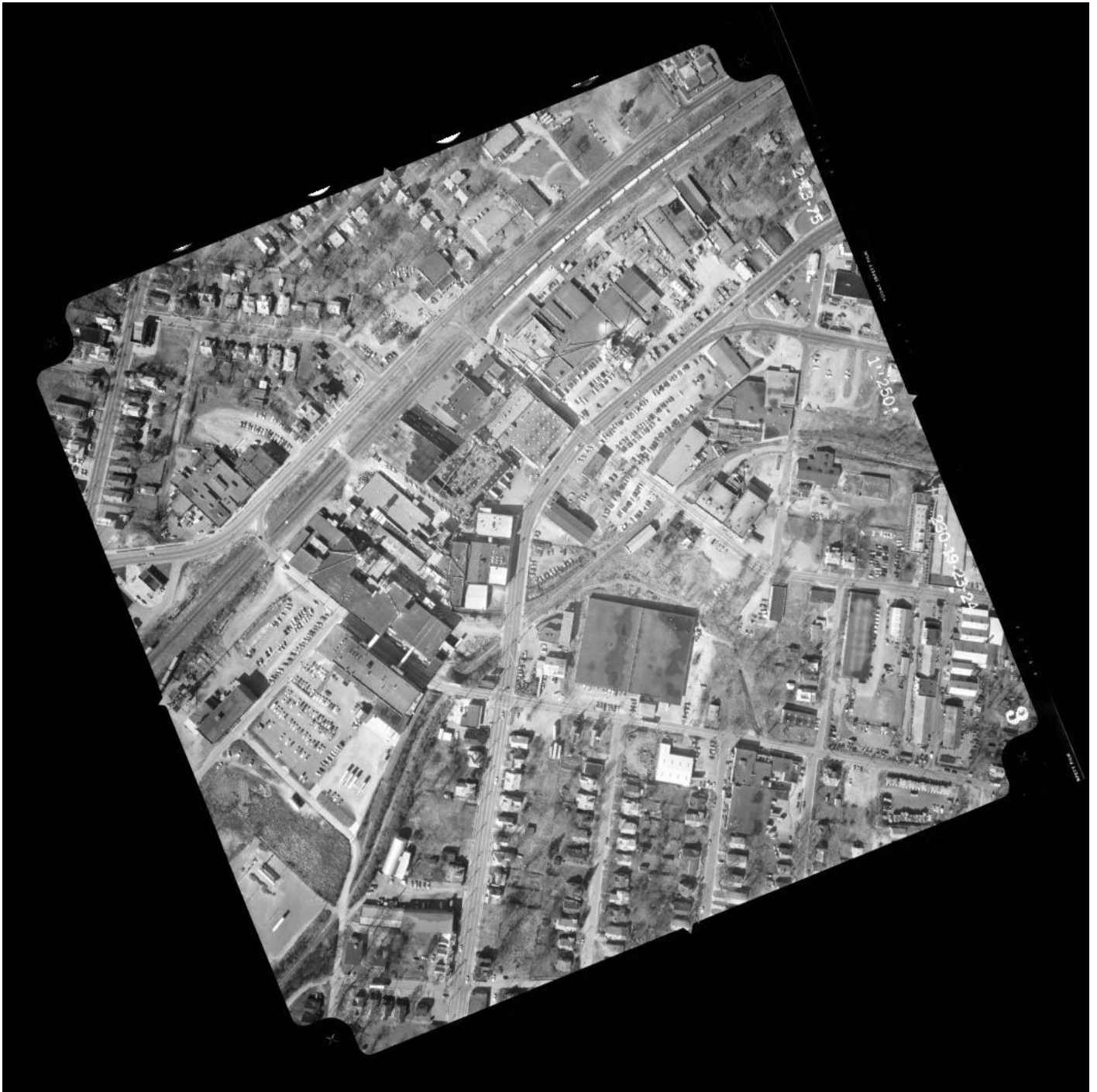
Sanborn Map, 1950



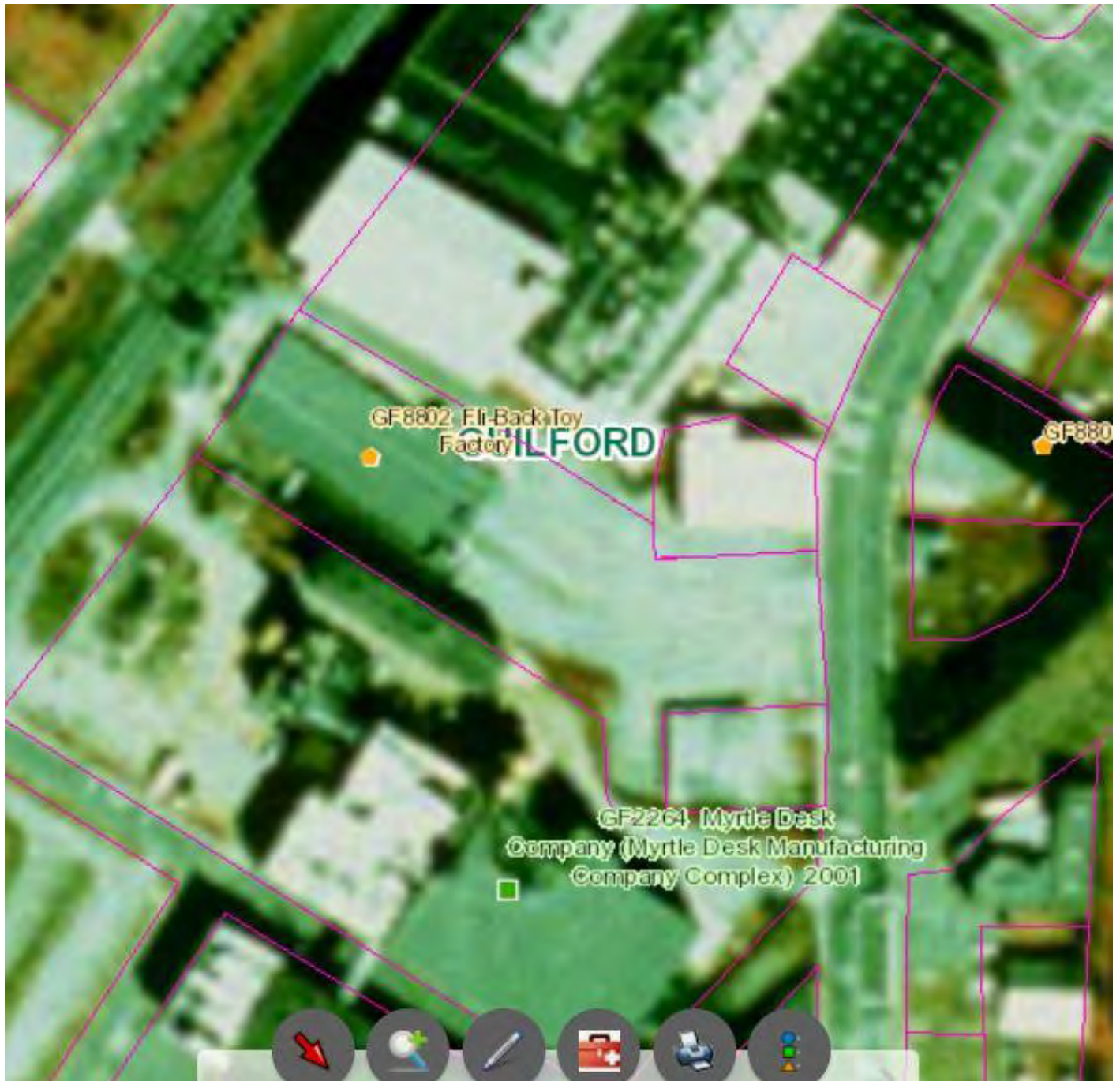
Sanborn Map, 1956



Aerial Map, 1975

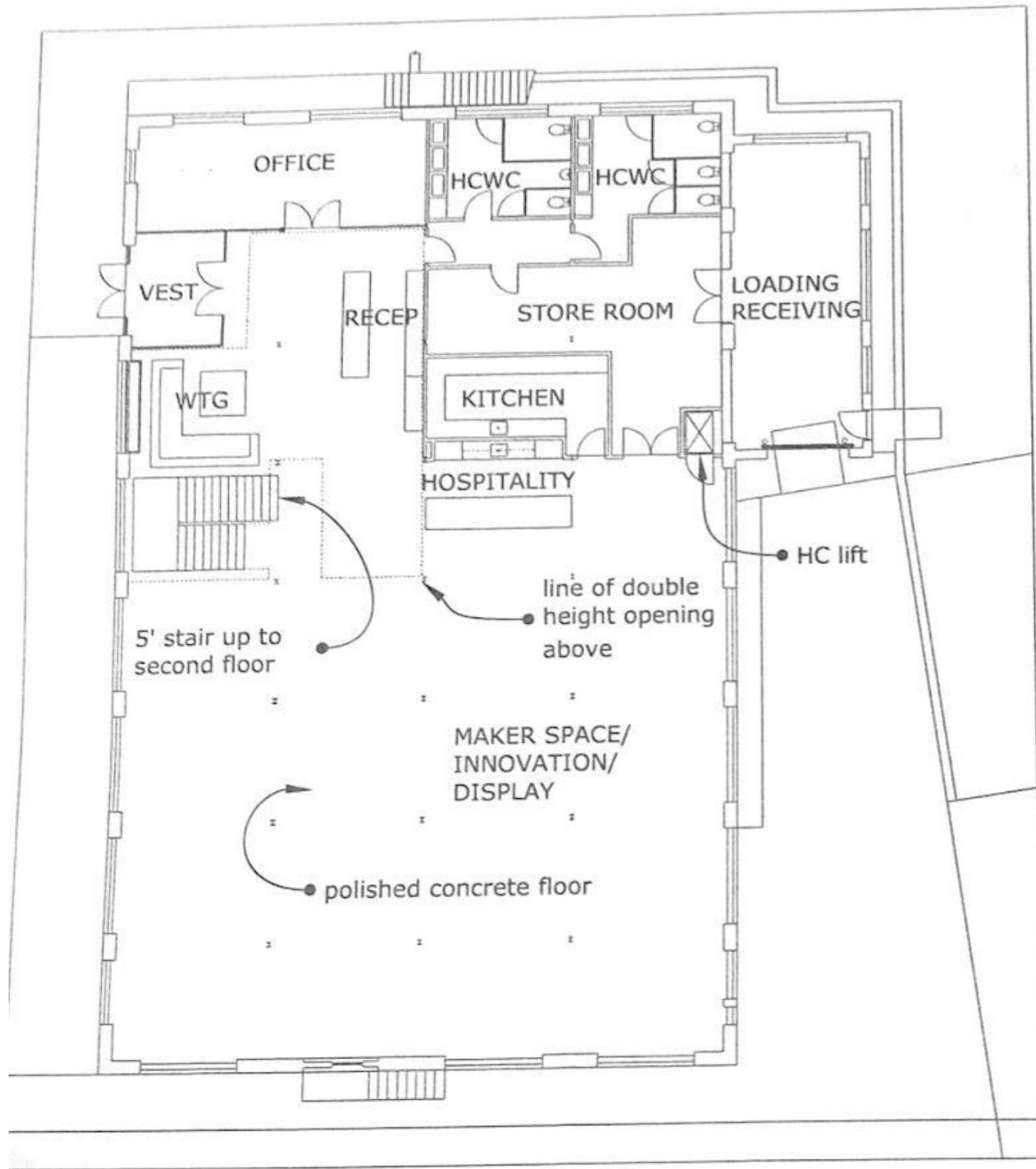


Aerial Map, 1998

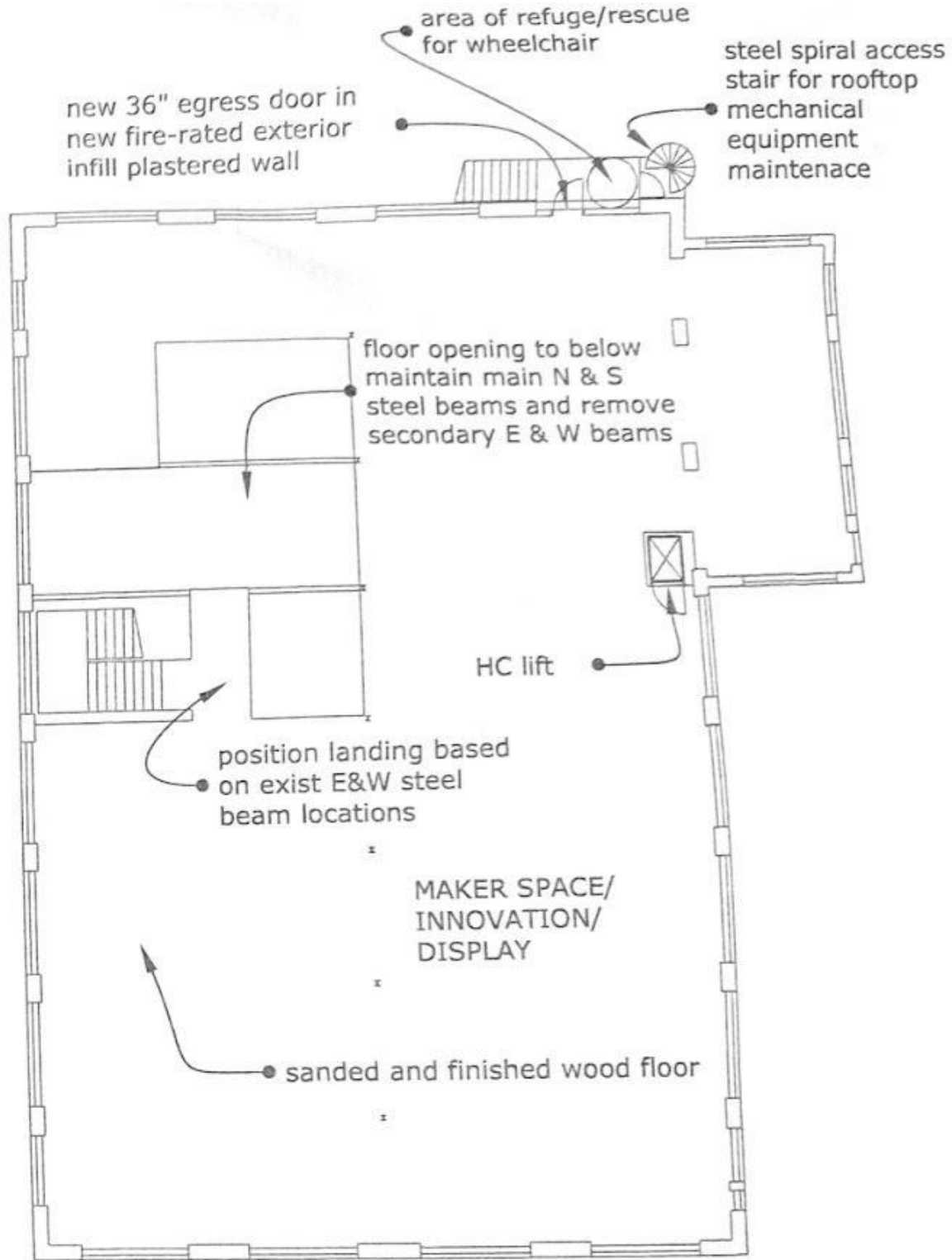


Architectural Drawings

First Level



Second Level



III. Architectural Assessment

Architectural Description

Setting

The Fli-Back Building is located on the west side of West Green Drive between Taylor Avenue to the south and West Grimes Avenue to the north (Fig. 1). The lot is small with minimal vegetation and the building takes up most of its lot, similar to other industrial and commercial buildings in Guilford County. The topography of the lot rises to the northwest. A sidewalk runs down its east exposure. The building is positioned close to the sidewalk and to West Green Drive. The Myrtle Desk Company (Study List, 2001) is located south of the Fli-Back Building, across the vacant lot where the demolished building, used for woodworking and assembly, once stood. The building used for shipping, though altered, is still located to the west of the Fli-Back Building. To the north of the Fli-Back Building is another significant mid-century modern industrial building that was operated by the Alma Desk Company (Surveyed in 2014, GF1996). Although one building is now gone and another has been substantially altered, the feeling of this industrial area as an important manufacturing district is still present.

Front (East) Elevation

The Fli-Back Building has high integrity. The steel-frame, two-level, painted brick building rests on a brick foundation. The bricks for the building were wire cut and laid in common bond with a row of ten stretchers to one row of headers (Fig. 8). The building is four bays wide and eight bays deep (Fig. 2). The tiered, terracotta tile parapet rises across the center two bays of the façade (east) and rear (west) elevations (Fig. 6). The building has a flat roof. A painted line of faded blue runs across the entire cream-colored building between the first and second levels and a block-lettered “710” marks the building’s address on the bottom corner of the north side of the façade (east elevation) (Fig. 7). The building has retained its large thirty-light and fifteen-light steel-framed windows with central openings (Fig. 9).

Every window on the façade is an identical thirty-light steel-framed window. The windows vary in condition. Some have been painted and some have lights that have been replaced, but the steel frames have retained a high level of integrity. From south to north, the first bay is comprised of a window, followed by an inset, metal pedestrian door, then two identical windows which make up the northern end of the façade. The number “710” is painted in block letters under the far north window. The first level sits significantly higher than street grade, so a set of concrete stairs with eight treads leads from the sidewalk on West Green Drive to the front door (Fig. 10). On the second level, there are four bays of identical thirty-light steel windows.

Side (North) Elevation

The first level of the side (north) elevation, from east to west, is comprised of a vertical window with three horizontal lights and a fifteen-light window, both steel frame, four more bays of thirty-light windows identical to the façade, and a steel fire escape leads to the second level, which has a nearly identical configuration (Fig. 3). The second level differs from the first to accommodate a metal pedestrian door at the top of the fire escape. Directly to the east of the door is a fifteen-light steel frame window. On the rear of the north elevation there is a two-level, one-bay-wide wing that was constructed a few years after the building’s original construction, as evidenced by the enclosed windows on the second level to the rear of the north elevation. On the east-facing side of the wing on the first level, there is a loading dock with a large, metal garage door, protected by a simple flat-roof overhang. On the north elevation of the wing, there is a metal pedestrian door, a fifteen-light steel frame window and a thirty-light steel-frame window. On the second

level of the wing on the east elevation, there is evidence of an enclosed thirty-light window, which adds privacy to the bathroom. A vertical steel-frame window with four horizontal lights has been installed in its place. On the second level of the north elevation, two thirty-light windows have been enclosed and replaced with smaller, fifteen-light windows.

Side (South) Elevation

On the side (south) elevation, the first level, from west to east, is comprised of a metal pedestrian door (boarded), six thirty-light windows, and one fifteen-light window (Fig. 4). On the second level, there is a fifteen-light window, two thirty-light windows, large metal double doors with strap hinges, a row of three thirty-light windows, and a fifteen-light window.

Rear (West) Elevation

The first level of the rear (west) elevation, from north to south, is comprised of three thirty-light steel frame windows, and a large metal sliding door (Fig. 5). The second level is comprised of four thirty-light windows. The stepped terracotta parapet is visible from this elevation.

Interior

The interior of the building has retained a high level of integrity (Fig. 11). On the first level, poured concrete floors, brick walls, and the steel-frame windows contribute to the building's industrial feeling. Metal beams and columns, painted white, are strategically positioned throughout the space to provide adequate support for the second level. The original metal sprinkler system is still intact and runs underneath the second level subfloor. On the south elevation, a steep wooden staircase leads to the second level.

The second level flooring material is severely deteriorated oak plank flooring. Where flooring is missing, plywood has been laid. The northeast quadrant of the second level is missing its flooring entirely, revealing the metal support beams below. Other than the differentiation in floor material, the second level is similar, in materials and design, to the first level.

In the wing addition on the north elevation there is a small apartment with a full bathroom and bedroom. The bathroom is accessed first through the entryway. The floors are linoleum and the walls have been covered with a vinyl sheet that resembles faux-wood paneling. The bedroom walls are painted brick. Thirty-light windows, once located on the south wall of the north elevation, were removed to accommodate the construction of the wing addition. The materials used in this addition are exact matches to the original building, making it likely that the wing addition was completed soon after the original construction.

IV. Historical

By the beginning of the twentieth century, High Point's mass industrialization had already begun. In Charles Hart's 1913 aerial view of the city, factories were already lining the south side of the railroad tracks west of South Main Street.¹ Most manufacturing at this time was of low-to-mid-end furniture, but all non-war-related manufacturing stopped during World War I in order to redirect time, attention, and resources to the war effort. In the post-war period, High Point industries expanded their markets to reach other regions of the country, but the boom was short-lived. After about a decade of prosperity and growth, the Great Depression hit (1929-1941), resulting in the closure of nearly half of the city's furniture factories.²

¹ Laura A. Philips, *High Point's Industrial History*, 4.

² Laura A. Philips, *High Point's Industrial History*, 8.

It was during this time that James E. Gibson, a High Point Businessman, was struck with inspiration. In 1931, as businesses were floundering, Gibson was inspired when his 13-year-old daughter Josephine came home one day with a paddle ball toy from the ice cream shop.³ After examining the toy, Gibson decided to start his own business producing high quality paddle ball toys at affordable prices. The business started in a frame shed in the backyard of Gibson's father-in-law, where the family's buggy was housed (Appendix 4).⁴ Gibson started distributing the toys to stores around North Carolina, loading them up in his Model A Ford and selling them from the trunk of his car.⁵ In 1932, either Gibson's wife, Rozena Perryman Gibson, or Gibson's brother, Walter Irving Gibson, (both are credited by different sources) coined the name "Fli-Back" along with its iconic symbol of the bronc-riding, paddle ball-playing cowboy.⁶

Although paddle ball toys had already been invented in the late 1840s, Gibson made the toy an international sensation. He began marketing his version of the paddle ball toy, the Fli-Back, up and down the east coast. After a trip to New York where Gibson introduced the toy to Macy's Department Store, sales exploded on a national level. Even during the Great Depression, business was booming, and the factory outgrew its buildings four times in eight years before making plans for a new complex on West Green Drive. On June 6, 1945, *The High Point Enterprise* reported,

"The Fli-Back corporation, manufacturer of toys and novelties, today was issued a permit for construction of two semi-fireproof buildings on West Green Street near Grimes Street at an initial cost of \$30,000...The two buildings will be of brick, steel and concrete construction and will contain a sprinkler system. Each will be two stories in height. One structure will be 68 by 106 feet. Construction will be of the most modern factory and mill type. Work is scheduled to get under way within a few days...It is the largest single new construction project to be announced here within several months...Building officials said that just as soon as the necessary labor and materials can be released, High Point will experience one of the largest new construction and modernization booms in the city's history."⁷

It is likely that the Fli-Back factory complex on West Green Drive was a point of pride for company executives because an illustrated rendering of the factory was featured in the Fli-Back Corporation logo for decades (Appendix 1). Originally, the factory was comprised of two structures. The extant Fli-Back Building housed the enameling and drying process on the first level and toy assembly on the second level. The other building, located to the south, was utilized for woodworking and assembly. It was demolished sometime between 1993 and 1998. From what can be interpreted from 1950 and 1956 Sanborn maps and the illustration of the complex used as the Fli-Back Corporation logo, the southern building, demolished sometime between 1993 and 1998, was a two-level masonry building with two large wings, one to the east and one to the south. Inside the main block, the building had wood posts rather than steel. The eastern wing, used for assembling, had steel posts and beams. The southern wing, labeled as "veneer warehouse," had wooden posts. Concrete flooring was used throughout.

³ "Thwap! Thwap! Thwap! Paddleball Isn't As Big Today As It Was In The '30s But High Point's Fli-Back Co. Proves It Isn't Dead Yet," *Charlotte Observer*, Sunday, May 30, 1976. Newspapers.com. Accessed on December 27, 2021.

⁴ Laura A. Philips, High Point Industrial Survey (2014). Newspaper excerpt. *The High Point Enterprise*, Sunday, July 4, 1976.

⁵ "Thwap! Thwap! Thwap! Paddleball Isn't As Big Today As It Was In The '30s But High Point's Fli-Back Co. Proves It Isn't Dead Yet," *Charlotte Observer*, Sunday, May 30, 1976. Newspapers.com. Accessed on December 27, 2021.

⁶ Both Rozena Gibson and Gibson's brother have been credited with branding the product. "The Fli-Back Company," a narrative history found in the High Point Museum research files claims the name was coined by Rozena Perryman. "Thwap! Thwap! Thwap!" an article from the *Charlotte Observer* (1976) claims it was Gibson's brother. Ancestry.com research shows Gibson's brother's name as Walter Irving Gibson.

⁷ "Two Brick, Concrete and Steel Structures To Be Built At A Cost Of \$30,000," *High Point Enterprise*. June 6, 1945. Newspapers.com. Accessed on December 27, 2021.

By 1956, Fli-Back Corporation had acquired the large three-level building to the west, previously owned by Heritage Furniture Company, to be used for shipping on the first level and for the manufacture of rubber toy parts on the second and third levels. This building is still extant; however, it has been significantly altered and is now a one-level building, likely due to the significant fire damage the building sustained in 1969.⁸ According to the Sanborn map of 1956, this building originally stood at three levels and there were no openings in the main block. Between 1950 and 1956, the Fli-Back Corporation constructed several accessory buildings and additions between the south and west buildings.

With a finished manufacturing complex and a few years of exceptional marketing strategy, the paddle ball toy became known to the world as a “Fli-Back.” In January of 1950, the business was officially incorporated, with an authorized capital stock of \$500,000 and subscribed to J.E. Gibson, Rozena Gibson, and J. E. Gibson, Jr. (Appendix 3).⁹ The corporation was employing anywhere between 100-200 people to work in the factory, the majority of whom were Black women. Women were employed in various capacities at the plant, including “the manufacture, inspection, packing, and shipping of the toys.”¹⁰ Although the source has not yet been found, several reports claim that all workers at the Fli-Back factory, regardless of race, were paid the same wage.¹¹

As the *High Point Enterprise* reported in “High Pointers of High Point (1976), “One of the most amazingly successful industrial developments to make High Point famous in the 1930s was the paddleball boom in which the late J. E. Gibson developed the Fli-Back Company which poured them out by the millions for a market that was worldwide...the Fli-Back plant is wedged between two giant desk manufacturers [Myrtle Desk and Alma Desk] in a lineup of great firms dominating their respective fields.”¹² According to Steven Reddicliffe from the *Dallas Times Herald* in 1985, The Fli-Back was among the “great toys, in the playroom pantheon with [Etch-A-Sketch], Silly Putty, the Slinky, the Wiffle Ball...Play-Doh, Lincoln Logs, [and] Tinker Toys.”¹³

All over the country, from North Carolina to Florida to Ohio to California, the Fli-Back toy became ubiquitous. A 1972 photograph from South Carolina’s *The Columbia Record* shows two young boys, devoting “some vacation time to figuring out the intricate operation of a ‘fli-back’” (Appendix 2). It was affordable, costing only 10 cents, which made it accessible to children of all socioeconomic backgrounds. J. E. Gibson’s son, Walter, remarked, “Since the company’s inception it has been its aim to provide toys that each child could afford, regardless of the economic strata or conditions.”¹⁴ Dozens of newspaper entries can be found referencing Fli-Backs given to guests as party favors at children’s events or as prizes in competitions.

The Fli-Back became an even bigger sensation when the corporation sponsored one of the first 3D movies to come to theaters, *House of Wax* (1953), which involved a massive distribution of 10 million paddle balls ahead of the movie premiere, each toy stamped with, “Featured in Warner Bros.’ Thrilling Natural Vision 3-

⁸ “Fli-Back Plant Guttled By Fire,” *The High Point Enterprise*, Wednesday, May 7, 1969. Newspapers.com. Accessed on December 27, 2021.

⁹ “New Corporations,” *The News and Observer*, Wednesday, January 25, 1950. Newspapers.com. Accessed on December 27, 2021.

¹⁰ “Santa Claus Carrying Toys of High Point Origin This Year,” *The High Point Enterprise*, Sunday, December 3, 1950. Newspapers.com. Accessed on December 27, 2021.

¹¹ This claim is found in the High Point Museum research files as well as a North Carolina Museum of History blog post by Katie Edwards, Curator of Popular Culture for the North Carolina Museum of History, “Fli-Back to North Carolina,” <<https://www.ncmuseumofhistory.org/blog/fli-back-to-nc>>.

¹² Holt McPherson, “High Pointers of High Point,” *High Point Enterprise*, 1976. Newspapers.com. Accessed on December 27, 2021.

¹³ “An Eternal Clean Slate,” *The Modesto Bee* (Modesto, California) reprint of *Dallas Times Herald*, Sunday, May 19, 1985. Newspapers.com. Accessed on December 27, 2021.

¹⁴ Holt McPherson, “Walter L. Gibson, High Pointer of the Week,” *The High Point Enterprise*, Sunday, April 13, 1969. Newspapers.com. Accessed on December 27, 2021.

Dimension Motion Picture ‘House of Wax,’ color by WarnerColor.”¹⁵ The movie begins with a gratuitous paddle ball scene that utilizes the three-dimensional technology of the film. *The Misfits* (1961), starring Marilyn Monroe, featured an iconic paddle ball scene as well. The Fli-Back paddle ball became a major part of American entertainment and recreation in the post-war period and continued to be a popular game for the young and old alike until the 1980s.

By the time the company started reaching international markets, The Fli-Back Corporation was producing more than its iconic paddleball. An article from the *High Point Enterprise* in 1965 announced a notable claim that the Fli-Back Corporation had become the number one producers of yo-yos after the bankruptcy of the Luck factory in Wisconsin.¹⁶ By Gibson’s death in 1968, the Fli-Back Corporation was producing over 150 different toy products and was doing business in more than 20 countries around the world.¹⁷ As the production grew, so did the complex on West Green Drive. To keep up with demand, the company began to expand outside of High Point, establishing warehouses in the Midwest and on the West Coast.¹⁸

After J. E. Gibson’s death, his widow, Rozena Perryman Gibson became company president. In 1972, the company was sold to the Ohio Art Company, the makers of Etch-A-Sketch. In an open letter to Fli-Back employees, President Rozena Gibson emphasized, “The Fli-Back Company will continue to operate under its present management, at its present facilities and with the same office and factory personnel.”¹⁹ Rozena and J. E. Gibson’s son, Walter Gibson, continued to advise with the company after the acquisition. The factory continued making toys until it was shut down in 1983.

Chain of Title

- **Book 8556 Page 651-653**
 - Recorded on December 15, 2021
 - Grantor: Thayercraft Industries
 - Grantee: Bricks & Beams, LLC

- **Book 4429 Page 1518-1534**
 - Recorded on June 21, 1996
 - Grantor: Alma Desk Company (Bankruptcy) (J. Brooks Reitzel, Jr., Trustee in Bankruptcy for All Liquidation Inc., ADC Liquidation, Inc., and CII Liquidation, Inc.)
 - Grantee: Thayercraft Industries

- **Book 333 Page 0947**
 - Recorded on November 8, 1983
 - Grantor: Brown Group Recreational Products, Inc.
 - Grantee: Alma Desk Company

¹⁵ “3-D Movie Brings Promotion Tie-Up With Paddle Firm,” *The Paris News* (Paris, TX), Sunday, April 19, 1953. Newspapers.com. Accessed on December 27, 2021.

¹⁶ Holt McPherson, “Good Afternoon,” *High Point Enterprise*, Monday, July 26, 1965. Newspapers.com. Accessed on December 27, 2021.

¹⁷ “It Happened in N.C.: His Invention Still Popular,” *The Daily Times News*, Saturday, March 2, 1968. Newspapers.com. Accessed on December 27, 2021.

¹⁸ “It Happened in N.C.: His Invention Still Popular,” *The Daily Times News*, Saturday, March 2, 1968. Newspapers.com. Accessed on December 27, 2021.

¹⁹ “Ohio Outfit Buys Fli-Back Company,” *High Point Enterprise*, article excerpt found in High Point Museum research files.

- **Book 3185 Page 934**
 - Recorded on October 14, 1981
 - Grantor: Eagle Rubber Co., Inc
 - Grantee: Alma Desk Company

- **Book 3127 Page 506**
 - Recorded on January 27, 1981
 - Grantor: Fli-Back Company, Inc.
 - Grantee: Eagle Rubber Co., Inc.

- **Book 2600 Page 572**
 - Recorded on June 30, 1972
 - Grantor: Sock-It Company
 - Grantee: Fli-Back Company, Inc.

- **Book 1083 Page 357 (Correction Deed made in 1964: Book 2137 Page 664)**
 - Recorded on July 2, 1945
 - Grantor: Rozena M. Gibson
 - Grantee: J. E. Gibson, Sr.

V. Finding Aid for Photographs

- Fig. 1: Setting
- Fig. 2: Front (East) Elevation
- Fig. 3: Side (North) Elevation
- Fig. 4: Side (South) Elevation
- Fig. 5: Rear (West) Elevation
- Fig. 6-10: Exterior Features
 - Fig. 6: Parapet
 - Fig. 7: Painting
 - Fig. 8: Brickwork
 - Fig. 9: Windows
 - Fig. 10: Doors
- Fig. 11: Interior Features

VIII. Figures

Fig. 1: Setting



Fig. 2: Front (East) Elevation



Fig. 3: Side (North) Elevation



Fig. 4: Side (South) Elevation



Fig. 5: Rear (West) Elevation



Fig. 6: Parapet



Fig. 7: Painting



Fig. 8: Brickwork



Fig. 9: Windows



Fig. 10: Doors







Fig 11: Interior

First level, east elevation



First level, front doors



First level, east elevation



First level, stair



First level, south elevation stair



First level, rear elevation door



First level, south elevation windows



Second level, west elevation



Second level, east elevation of the north addition, bathroom addition



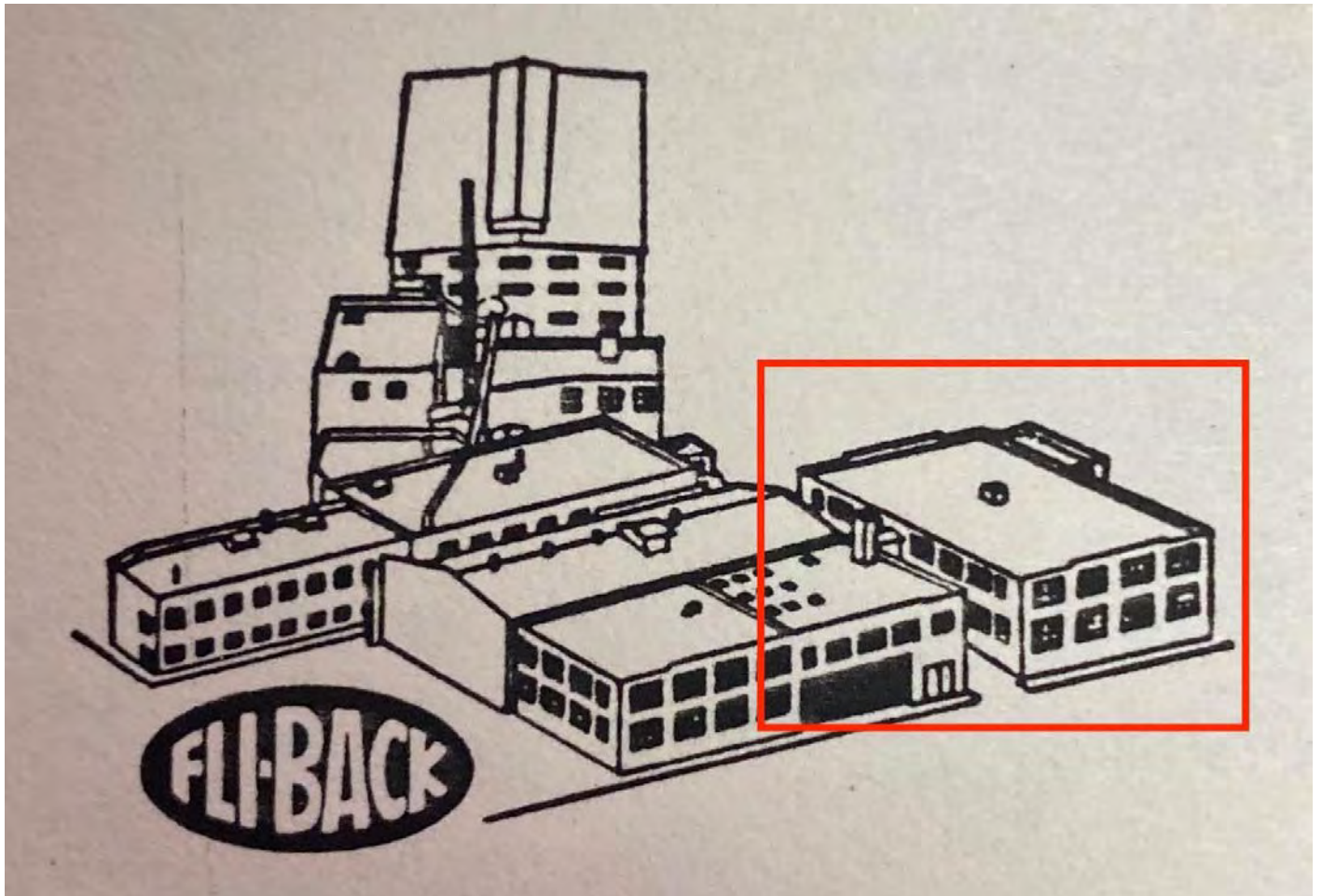
Second level, south elevation of the north addition, apartment addition



VII. Appendix

Supporting Photographs and Documents

Appendix 1: Fli-Back Corporation Logo with Fli-Back Building marked in red.



Appendix 2: *The Columbia Record*, Thursday June 8, 1972.



Appendix 3: Fli-Back Company Incorporation Document



To all to whom these presents shall come, Greeting:

I, Chad Eure, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached (FOUR (4) sheets) to be a true copy of the Certificate OF INCORPORATION OF THE FLI-BACK COMPANY

and the probates thereon, as the same is taken from and compared with the original filed in this office on the 23rd day of January A.D., 19 50.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 23rd day of January in the year of our Lord 19 50.


Secretary of State



62412

CERTIFICATE OF INCORPORATION
OF
THE FLI-BACK COMPANY

* * * * *

16

This is to certify that we, the undersigned, do hereby associate ourselves into a corporation under and by virtue of the laws of the State of North Carolina, as contained in Chapter 55 of the General Statutes, entitled "Corporations", and the several amendments thereto, and do severally agree to take the number of shares of capital stock in said corporation set opposite our respective names, and to that end do hereby set forth:

1. The name of this corporation is The Fli-Back Company.

2. The location of the principal office of the corporation in this State is in the City of High Point, Guilford County, North Carolina; but it may have one or more branch offices or places of business outside of the State of North Carolina, as well as in said state.

3. This corporation is to carry on the business of inventing and designing all kinds of toys and novelties made from any type of material; manufacturing wooden toys, plywood paddles, rubber balls and toys, rubber balloons, plastic toys, inflated rubber balls, games and novelties made of wood, metal, plastic and paper or any other kind of material; the corporation shall also have authority to deal in the manufacture

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and sale of all the articles above enumerated, either as principal, jobber, broker or agent and at wholesale or retail; the corporation shall likewise have authority to deal in any materials and equipment that is or may be useful or convenient in connection with the powers herein granted; to purchase or otherwise acquire, and to sell, improve, manage, develop, lease, mortgage, dispose of, or otherwise deal with land required for any of the purposes of the corporation; to apply for and to purchase and acquire patents and privileges and inventions or improvements in any invention which may be considered conducive to the attainment of any of the objects of the corporation, or in any way connected therewith.

The several clauses contained in this statement of powers and objects, except where otherwise expressed, shall be in no wise limited or restricted by reference to or inference from the terms of any of the other clauses in this statement, but the objects and powers specified in each of the clauses in this certificate shall be deemed and regarded as independent objects and powers.

4. The total authorized capital stock of this corporation is Five Hundred Thousand Dollars (\$500,000.00) divided into Five Thousand (5,000) shares of the par value of One Hundred Dollars (\$100.00) each; but the corporation may organize and begin business when Three Hundred Dollars (\$300.00) of the capital stock, composed of three (3) shares shall have been subscribed for.

62412

5. The names and post office addresses of the subscribers of stock, and the number of shares subscribed for by each, the aggregate of which being the amount of the capital stock with which the company may commence business, are as follows:

| Name | Post Office Address | No. of Shares |
|-------------------|-------------------------------|---------------|
| J. E. Gibson | High Point, North Carolina | 1 |
| Rozena M. Gibson | High Point, North Carolina | 1 |
| J. E. Gibson, Jr. | High Point, North Carolina | 1 |

6. The period of existence of this corporation is unlimited.

7. The board of directors of this corporation shall have power, by vote of a majority of all of the directors, and without the assent or vote of the stockholders, to make, alter, amend and rescind the by-laws of this corporation.

In Witness Whereof, we have hereunto set our hands and affixed our seals, this the 6th day of January, 1950.

| | |
|----------------------|--------|
| J. E. Gibson, Sr. | (SEAL) |
| Rozena M. Gibson | (SEAL) |
| James E. Gibson, Jr. | (SEAL) |

Signed, sealed and delivered by J. E. Gibson, Rozena M. Gibson and J. E. Gibson, Jr. in the presence of: Vola A. Myrick, Subscribing Witness.



To all to whom these presents shall come, Greeting:

I, Chad Eure, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached (FOUR (4) sheets) to be a true copy of the Certificate OF INCORPORATION OF THE FLI-BACK COMPANY

and the probates thereon, as the same is taken from and compared with the original filed in this office on the 23rd day of January A.D., 19 50.

In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 23rd day of January in the year of our Lord 19 50.

Chad Eure
Secretary of State





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In Witness Whereof, I have hereunto set my hand and affixed my official seal.

Done in Office, at Raleigh, this 23rd day of January in the year of our Lord 19 50.

[Handwritten Signature]
Secretary of State



Appendix 4: *High Point Industrial Survey* by Laura A. Philips, 2014.

North Carolina State Historic Preservation Office

Historic Property Survey Summary

County: **Guilford**

SSN: **GF8641** *QV02* Blockface#

Quad: High Point West
PIN: 0172331 & 0172326
X: Y:
DOT Project #:
OSA#:

Update Mo: Yr:
 No Alt Alt Det Rehab
 Removed Outbldg Loss
 No Acc. Not Fnd FileMsg
 Newly ID'd Needs Resch.

Property Name: **Fli-Back Toy Factory**
 Street or 911 Address: **710-718 W. Green Street West side**
 Location Description:
 Town/vicinity: **High Point**
 District: **None ()**
 District Dates: NRdate: SLdate: DOEdate:
 Local District:

Recommended for SL StudyList SLdate: NR NRdate: NR #: **None**
 DOE DOEdate:
 DOE Type: Local Status: **None** Ownership: **Private**

Principal Resource Material Integrity: **High** Condition: **Good** Location Integrity: **Original**

Architectural Data: Date(s): **ca. 1945**
 Major Style Group(s) **Not specified**
 Construction: **Steel Frame**
 Ext. Material: **Brick** Later Covering: **None**
 Height: **2 story** Roof: **Parapet/Comm.** Plan: **Not known** Core Form (Domestic):
 Design Source and attribution: **Not specified**

Major Theme: **Industry** 2nd Theme: **Architecture**
 Group Association: **Not Specified** Religious Affiliation **N/A**
 Historic Function: **Industry - manufacturing facility**

Written Summary
 High Point salesman James E. Gibson founded the Fli-Back Company in 1931 to produce the Fli-Back paddle ball -- a rubber ball attached to a wood paddle. Starting on a very small scale in a shed behind his house, the rising popularity of the toy necessitated moves to larger quarters four times in eight years. By the time of Gibson's death in 1968, the company was producing numerous toys in addition to the Fli-Back paddle ball, including yo-yos, spinning tops, balloons, batons, beach balls, play balls, and other toys. Its sales extended throughout the United States and to twenty other countries.

In 1945, the Fli-Back corporation was issued a permit to erect two factory buildings of brick, steel, and concrete construction on West Green Street near Grimes Avenue. One of these, which housed the enameling and drying processes on the first floor and assembling on the second floor, survives. The two-story, painted-brick-faced building is four bays wide and eight bays deep and has a one-bay wide wing at the rear of the north elevation. The building's terra cotta tile coped parapet rises one step across the center two bays of the façade. Doors are utilitarian pedestrian and loading doors and windows are fifteen- or thirty-light steel-framed with center sections that pivot open. By 1956, the former Heritage Furniture Company close to the railroad at the rear of the property had been taken over for Fli-Back's shipping department. Still standing, it is a large, one-story, brick building with a flat roof.

Four years after Gibson's death in 1968, his wife sold the company to the Ohio Art Company -- makers of the Etch-a-Sketch toy -- which continued to produce the Fli-Back line of toys at the High Point facility until 1983.

Wednesday, October 08, 2014

North Carolina State Historic Preservation Office

HISTORIC PROPERTY FIELD DATA FORM

Circle your responses or write custom responses.

County _____ Survey Site Number: ⁸⁸⁰² GF 8641 ER: _____ GIS: _____

Property Name: Fli-Bach Co. Factory

Street Address / location description: 710^W GREEN DRIVE

Town: _____ vicinity Ownership: *fed state local private non-profit unknown*

District / Neighborhood Association: _____ contrib non-contrib

Surveyor: _____ Date: _____

For Survey Update: No substantial change | change by alteration | change by deterioration | outbuilding loss | rehabilitated | removed or destroyed | not found | no access | file missing | newly identified | needs research

Study List / DOE recommendation: eligible | not eligible Criteria: A B C D

Material Integrity: High | Medium | Low | N/A Gone

Condition: Good | Fair | Deteriorated | Ruinous | N/A Gone Location: Original Moved (year if known _____) Uncertain

Const. Date: ca. 1945 Major Style Group: Georgian | Geo/Fed | Federal | Fed/GkRev
 Greek Revival | Italianate | Gothic Revival | Queen Anne | Victorian - Other | 19th-20th c. traditional-vernacular |
 Neoclassical Revival | Colonial Revival | Southern Colonial | Beaux Arts | Spanish Mission | Tudor Revival |
 Rustic Revival | Craftsman/Bungalow | Period Cottage | Minimal Traditional | International | Moderne | Art Deco |
 Misc. Modernist Standard Commercial/Industrial | Ranch | Split Level | Other _____

Construction: Timber frame | Balloon frame | Load bearing masonry | Masonry veneer | Log | Steel frame | Concrete | Unknown | Other _____

Primary Original Ext. Material: Weatherboard (plain beaded molded novelty type unk.) | Batten | Wood shingles | Exposed logs | Brick | Stone | Stucco | Pebbledash | Other _____

Covering: None | Aluminum | Vinyl | Asbestos Shingle | Later brick veneer | Metal | Paper | Undetermined

Height (stories): 1 | 1 1/2 | 2 | 2 1/2 | 3 | more than 3 (enter) _____

Roof: Side gable | Front gable | Triple A | Cross gable | Hip | Gambrel | Pyramidal | Mansard | Parapet | Flat Other _____

Plan: Not Known | 1-room | Hall-parlor | 3 room | Side passage | Center passage | Saddlebag | Dogtrot | Irregular Shotgun | Other _____

Core Form (domestic): I-house | Single pile | Double pile | Foursquare | other _____

Design Source: _____ attributed | documented

Special Associations / Themes: _____

Outbuildings and landscape features (continue on back if necessary)

Use back of sheet for narrative description and field notes and sketches



Say Officials

Two Brick, Concrete and Steel Structures To Be Built At a Cost Of \$30,000

The Fli-Back corporation, manufacturer of toys and novelties, today was issued a permit for construction of two semi-fireproof buildings on West Green street near Grimes street at an initial cost of \$30,000. J. E. Gibson is owner and manager of the company.

The two buildings will be of brick, steel and concrete construction and will contain a sprinkler system. Each will be two stories in height. One structure will be 60 by 53 feet, and the other will be 68 by 106 feet. Construction will be of the most modern factory and mill type. Work is scheduled to get under way within a few days.

The project when completed will probably represent an expenditure of \$50,000 or more. This will include equipment and installations. It is the largest single new construction project to be announced here within several months.

Meanwhile several other large building projects are in the planning stage and are expected to be announced soon. Building officials said that just as soon as the necessary labor and materials can be released High Point will experience one of the largest new construction and modernization booms in the city's history.

Three Divorce Actions Filed In Court Today

Three divorce actions were filed this morning in the municipal court, all on grounds of two years separation. They were: Mamie Hutcheus Morris from Elsie Grady Morris, Nettie Emerson from Willie Emerson, and W.

this morning.

If you are a bond purchaser, you are invited by Sanders Dallas, chairman of the Seventh War Loan campaign, to send a name and compete for a \$25 bond, which Mr. Dallas will present to the person sending in the best name by Saturday of this week.

UPSET SKIN?
BLACKHEADS - PIMPLES
 EXTERNALLY CAUSED
Palmer's
SKIN SUCCESS
 SOAP and OINTMENT

DR. NAT WALKER
 EYES EXAMINED
 GLASSES FITTED
 Over Walgreen's - Phone 2908
 Careful Attention to Children

STANLEY'S
JEWELERS
 Next to J. C. Penney Co.

LEARN TO FLY
 CHARTER SERVICE
 To any point in the Country - Two and three place ships, radio equipped, and flown by Army trained pilots - Fast and Safe - Reasonable rates.
FRALEY FIELD
 HIGH POINT, N. C. - Phone 2908

FOR DIAMONDS
WATCHES, JEWELRY,
AND FINE CHINA
AND GLASSWARE
 COME TO
RUBY'S

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Gibson's Fli-Back Toy Industry Comes Of Age

From a printer's devil in an eastern North Carolina print shop to the ownership of a fabulous toy industry is the story of a veteran High Pointer, J. E. Gibson, president of Fli-Back Corp.

Gibson, the son of a Perquimans County farmer and merchant, started work at the age of 15 in Harts Print Shop at Elizabeth City. He worked for one summer as a printer's devil at \$1 a week, before taking a job as a salesman for a grain and seed firm. Selling and sales promotion came naturally to Gibson and he has flourished in the business.

His travels over southern states took him to High Point where he met and married Miss Rozena May Perryman.

In 1931 when national business was floundering, Gibson, then the father of five children, started production of the simple toy known throughout the world today as the fli-back paddle ball. It consisted of a simple rubber ball attached to a paddle by means of an elastic band. First production started in a home shop which housed the family buggy.

Two workers produced the new toy and each day's production was loaded into Gibson's Model A Ford and sold in stores in North Carolina.

Sales were limited to the area traveled by Gibson until he made an exploratory trip to New York and introduced the toy for promotional sales on a counter at R. H. Macy's Department Store. Syndicate buyers soon saw the birth of a new toy in the nation and sales have spiraled upwards since the first day's production.

Even during the depression the toy business grew, moving to larger quarters four times in eight years.

The paddle ball never faltered in popularity and today Gibson's Fli-Back paddle ball is in greater demand than it was in mother's day or even grandmother's day.

In addition to making paddle balls the Fli-Back company now produces balloons, sponge return balls, sponge baseballs and play balls, Fli-Back return tops and spinning tops.

Gibson, a slow talking businessman, is a great believer in free enterprise since he has seen the rise of his own company through this democratic system. Familiar with national and international trade policies and being a widely traveled man, Gibson has seen the chaos created in socialists and communistic countries. A poster in the office of his large toy plant on W. Green St. depicts America's production cost system as compared with the socialistic system or the Communist system.

"I believe," Gibson says, "if a



J. E. GIBSON

... up from printer's devil

man can produce an item better and cheaper than his competitor he will find customers flocking to his door."

He has proven this theory by selling toys at the same price or cheaper than they were 20 years ago. And the Gibson Fli-Back paddle ball still sells for 10 cents—the same price as it was in the lean depression years of the 30's.

Under State Law, the county welfare budget must be adopted by both the county welfare board and the county board of commissioners in joint session. The State Board of Allotments and Appeal certifies the amount of Federal and State funds available to each county.

STOMACH-ULCER PAIN MUST FADE AWAY

or money back

When even stomach acid means fury, burning slow pains, indigestion, gas, heartburn, etc., get fast relief with Ulgas Tablets. Ulgas' 3 proven, speed-acting ingredients—like a doctor's prescription—cool off and rest the inflamed stomach lining with a protective film. This stomach acid pain pill and you are within four and seven days again. 25¢ bottles sold since 1925. Try Ulgas on money back guarantee. You must get relief or your money back.

BODEN

News To Go

SHAW ALUMNI
The Shaw Univ. will meet Thursday. Mrs. Arnetta Byrd St. at 5 o'clock. are welcome to the of Shawites.

29TH ANNIVERSARY
The 29th annive Friendship Baptist 2 pm Sunday. The sel Monday night. Re pastor of Mt. Olive. Choir and congreg Board in charge.

Tuesday night, B son, pastor of Beti Church. Choir and usher board in ch Wednesday night McLeod, pastor of

gregation, senior e Thursday night, I liams, pastor of S M. E. Church. Ch gation, Home. Mli charge.

Friday night, R ton, pastor of St. ness church. Choir tion: Junior Choir

LOCAL GIRL COVER GIRL

Mrs. Marlon Be Louise Wilson of pears on the cover national magazine. "Smile." The group girl group of inter YMCA NEWS

The Rose Bee the Seventh Day is having its first fall program. The boys and girls are ing project on Mo 5 o'clock on the se Each boy and girl in the cooking or food.

Boxing classes on three evenin week. Any boy or is interested in le or taking lessons later on Tuesday, urday night. T trainers have classes.

Scheduled Monday 5 p.m. Seventh Day A Bridge & Whist Tuesday 7 p.m. 8 p.m., Pyramid Wednesday 2:3 Club Fairview St. Young-Men's-Cl Thursday 1:30 Club Seventh Day Program Commit m., Gra-Y Club p.m., Boxing Cl

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did the lack of rain, the
dry.

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should start rolling now
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handling of newspaper
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10/10/54

Fli-Back Corp.

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foreign held dollars could then be redeemed with gold and still leave adequate reserves. The result would be, he contends, that this ultimately would create a shortage of dollars in the world market and the United States could write its own ticket. Not so, says Lazar. "Raising the price of gold would only provide a temporary relief. In two or three years, we would

(See VIETNAM on 6C)

WEATHER

There is a good chance the High Point area will be getting some rain during the next day or so, according to the weatherman at Friendship. Tonight is expected to be cloudy and warmer, with rain likely before morning. The probability of any precipitation tonight is at 60 per cent. Thursday's forecast calls for cloudy skies and cooler, with rain continuing. Chances of precipitation on Thursday is at 70 per cent. Today's high was to be in the mid to upper 50s, and tonight's low should be in the upper 30s. Thursday's predicted high is in the 40s. Last night's low temperature was 18.

(See MAJOR on 7B)

(See RULING 13 on 6C)

J. E. Gibson Is Dead At Age 74

HPE 2/28/1968



J. E. Gibson

J. E. Gibson, 74, president of the Fil-Back Co of High Point, died in his home at 1112 Forest Hill Dr. Tuesday at 11:15 p.m. after an illness of two years. A native of Hartford, N. C., he was born Aug. 8, 1893, and had lived in High Point since 1916, when he was married to Miss Rozema Mae Perryman.

Mr. Gibson began his business career as a feed and seed salesman. After his marriage, he sold hosiery and dry goods and engaged in real estate transactions. He founded the Fil-Back Co. in 1931 and began production in a woodshed behind his house. The company, which produces rubber balls and toys, today is located at 716 W. Green Dr. and manufactures around 150 different items in its toy line. It has sales throughout the United States and in 20 other countries.

Mr. Gibson was a member of Emerywood Baptist Church. A life-time deacon, he directed two building fund drives for the church. He was a trustee of Mars Hill College. A new 64-room dormitory at the college is named for his son, J. E. Gibson Jr., who died several years ago.

Surviving Mr. Gibson are his wife, Mrs. Rozema Mae Perryman Gibson; two daughters, Mrs. E. W. Tipton Jr. of Kingsport, Tenn., and Mrs. Robert Grimes Griffith of High Point; two sons, Walter L. Gibson and Earl S. Gibson, both of High Point; his mother, Mrs. S. S. Gibson of Greensboro; two brothers, Leeroy Gibson of Chattanooga, Tenn., and W. I. Gibson of Randleman; and 12 grandchildren.

Funeral will be held at 2 p.m. Thursday at Emerywood Baptist Church. The service will be conducted by the pastor, Dr. W. Eugene Spears Jr. Burial will be in Floral Garden Park Cemetery.

The body will remain at Sechrest Funeral Home until placed in the church 30 minutes prior to the funeral.

Youths Return From War Zone

By ROBERT MARKS
Enterprise Staff Writer

Guerrilla warfare in Saigon was a world away today for the three Hope boys.

Buist, David and Robbie arrived at Greensboro - High Point-Winston-Salem Airport at 8:05 a.m. today after an airplane journey from Singapore.

They thus returned to the city that had been their home for several years when their father, the Rev. Samuel R. Hope, was pastor of Forest Hills Presbyterian Church.

Since July, 1966, the Rev. Mr. Hope has been personnel director for Vietnam Christian Service, which carries on relief and assistance programs in camps for refugees of the Vietnamese war.

His wife and three sons were with the Rev. Mr. Hope in Saigon until the outbreak of the Viet Cong Tet offensive the last of January. Because of the fight-

ing in Saigon, Mrs. Hope and the three children were evacuated to a camp in Penang, Malaysia. The decision was then made to send the children back to High Point.

Mrs. Hope saw them aboard the plane in Singapore. She is hoping to return to Saigon to be with the Rev. Mr. Hope until his work in Vietnam ends in May.

The three boys are to stay with Mr. and Mrs. Allen Mebane of 908 Forest Hill Dr. The Mebanes are members of Forest Hills Presbyterian Church.

The boys are to be enrolled in Northwood Elementary School for the remainder of the school year. Buist is in the sixth grade, David in the fifth and Robbie in the third.

Greeting them at the airport this morning were Mebane, Mrs. Bill Benschel and her son, Frank; and Edward Hope of Fayetteville, grandfather of Buist, David and Robbie.

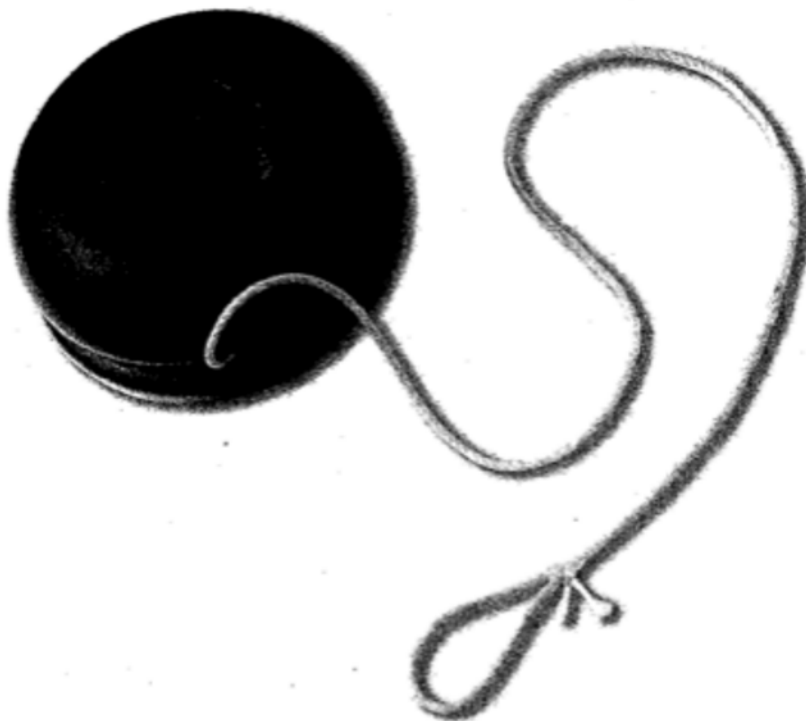
High Point Enterprise 28 FEB 1968 1C

By Jerry Parrish

follow the bouncing ball

*With his popular Fli-Back paddleball toy,
High Point creator James Gibson had the world on a rubber string.*

BY JIMMY TOMLIN





REPRODUCED FROM THE ORIGINAL

Paddleballs, yo-yos (opposite), and other toys put High Point on the toy track.

July 2005 Our State

It's only fitting that High Point businessman James Emory Gibson's greatest claim to fame was the Fli-Back, the popular dime-store paddleball game that challenged players to continuously bounce a sponge-rubber ball that was attached to a small, wooden paddle with an elastic string. It's fitting because, frankly, few people have ever bounced back as impressively as Gibson did.

Paddleball bearings

The year was 1931, during the depth of the Depression, and it was all Gibson and his wife, Rozena, could do to make ends meet and provide for their five children. He had been in the real estate business, but when the stock market crashed in October 1929, Gibson wound up owing some \$75,000. After that, he had found work selling hosiery as a jobber in the textile industry, but he was allergic to the dye in the hosiery — "so allergic that his throat would bleed at times," says Gibson's youngest son, Walter, now 75 and living in Pfafftown. "He knew he needed to get out of that kind of work, but it was putting some food on the table during the Depression."

Enter Gibson's oldest daughter, Josephine, a young teenager who came home one afternoon with a paddleball game she had been given at a local ice cream shop. "My father was in the living room," Walter recalls, "and here comes Josephine paddling away on that game. My father looks at it and says, 'Let me try that.' Well, he liked the game right off."

In fact, Gibson — who was quite the optimist, despite his setback in real estate — liked the game so much that he confided to his wife, "I believe this item will sell." Rozena, who did not see things through the same pair of rose-colored glasses as her husband, raised an eyebrow at his suggestion, but she didn't raise much of an argument. "She didn't want to try something and fail, because she knew they couldn't afford it," Walter says.

Gibson researched the paddleball game, and when he learned it hadn't been patented — meaning he was free to manufacture and sell his own such game — his dream took flight. He



Brochures and marketing pieces tout the thrill of the Fli-Back toy.

bought a supply of plywood, rubber balls and elastic cord, and rented a band saw for 10 cents an hour. His first manufacturing facility, if you will, was an old shed that had formerly housed his father-in-law's buggy. In that small shed, Gibson and his wife — and the children who were old enough — assembled the crude paddleball game that ultimately would become the Fli-Back. Gibson used the band saw to carve the paddles, and the others attached the balls and cords with staple hammers.

At day's end, Gibson would load the day's production into the trunk of his Model A Ford and haul the toys to retailers and wholesalers throughout the Triad area of High Point, Greensboro, and Winston-Salem — and eventually to points beyond. Meanwhile, Rozena kept track of the company records, paid the bills, and managed the family household. The product was selling well enough that Gibson stopped selling it under the umbrella of his textile business, Gibson Textile Company, and began selling it under the name that would become famous — Fli-Back.

Seeing red

The dream didn't stop there, however, because the optimistic Gibson harbored a much larger dream — nationwide distribution. "He wanted to sell to the chain stores," Walter explains, "because that would be where he would get his big break and where he could really make some money."

As he was preparing for a trip to New York City, where he planned to solicit a number of large variety-store chains to carry the Fli-Back, Gibson embarked on a side journey that ultimately evolved into one of the funniest stories in company lore. It also may have led to the big break he'd been looking for.

When Gibson spotted a newspaper ad for a clothing store in Asheboro, he realized he would need a new suit for his upcoming business trip. He drove there one weekend and told the clerk, "Let me see some of your least expensive suits." The clerk complied, but Gibson didn't see anything in his price range. He asked if the clerk had anything else.

"Well," the clerk said with a slight grin, "we've got one more, but I don't



After the success of the Fli-Back, Gibson expanded his company to include other toys.

think you want to see it."

Intrigued, Gibson asked to see the suit, so the clerk disappeared for a moment and returned carrying a garishly red suit. "It was a bright red," Walter says, "and my father laughed at it. The clerk laughed, too, and he said it was on sale for \$15. My father tried it on and said, 'I believe I'll take this,' and he wore it back to High Point that afternoon."

Walter recalls that his mother was horrified by the red suit. "Don't you dare wear that suit around here," she told her husband. "We'll be the laughingstock of the whole town."

Gibson had no intentions of wearing the suit around town; he planned to wear it to New York City, where he was sure it would catch some big-shot businessman's eye. And sure enough, as he waited in a room full of salesmen at the headquarters of S.H. Kress & Company, one of the largest chains in the nation, the red suit helped earn Gibson an appointment with a company buyer. "Does everyone in the South wear such red suits?" the man asked. Gibson laughed and replied, "No, not everyone."

The two men chatted for a while, Gibson regaled the Northerner with some of his well-worn jokes, and before long they had forged a friendship and, more importantly, a business relationship. The executive offered a few suggestions — beveling the paddle edges and improving the method of printing the trademark on the paddle, for example — and when those changes were made, the buyer

130 Our State July 2005

agreed to stock the Fli-Back at his stores throughout the country.

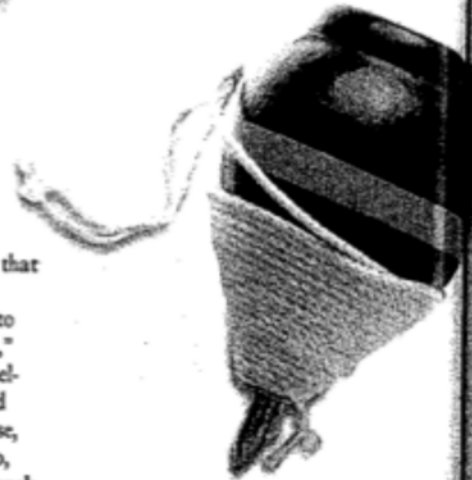
Then, when other chains learned that S.H. Kress & Company would be stocking the product, they decided to follow suit. "In two or three weeks," Walter says, "my father had a bushel-basket full of orders. He had to find some more band saws and rent those, and he had to hire some people, too, because he had to start making a bunch of toys." Within a couple of years, Walter says, Fli-Back was manufacturing some 60,000 toys a day, working only one shift.

Toying with success

As the company grew — even as other businesses around it were struggling mightily — Fli-Back expanded its product line to include yo-yos, tops, balloons, batons, beach balls, and other toys. And Gibson, whose own wife had doubted his ability to turn a simple paddleball game into a profitable business venture, became one of North Carolina's greatest success stories.

Moreover, Walter remembers that his father paid off that \$75,000 debt he had incurred when the stock market crashed. "His attorney told him he didn't have to pay it all — that he could pay a certain percentage and they would still declare the debt paid for — but my father didn't want to

GIBSON, WHOSE OWN WIFE HAD DOUBTED HIS ABILITY TO TURN A SIMPLE PADDLEBALL GAME INTO A PROFITABLE BUSINESS VENTURE, BECAME ONE OF NORTH CAROLINA'S GREATEST SUCCESS STORIES.



handle it that way," Walter says. "He paid it all."

In 1968, J.E. Gibson — "Mr. Fli-Back," as he was known in High Point — died of cancer at age 74. Four years later, Rozena sold the company to the Ohio Art Company — best-known as the toy conglomerate that makes the Etch-A-Sketch — for an estimated \$1.6 million. The company continued making its products in High Point until 1983 before shutting down that facility.

Gibson's success story is still well-known in High Point, however — not surprising, considering he was able to overcome a \$75,000 loss and turn a 10-cent paddleball game into a \$1.6 million windfall for his heirs. Maybe that's why they called him Mr. Fli-Back. ↩

Award-winning newspaper columnist and freelance writer Jimmy Tomlin lives in Greensboro.

Notes on **FLI-BACK CO, INC:**

Company founded in 1931, according to obituary of J. E. Gibson (Sr), High Point Enterprise, February 28, 1968, page C1. His wife is listed as president of company in 1969.

1930 High Point City Directory listing for James Emory Gibson:

"Gibson Jas E (Rosina M), slsmn, h 607 4th"

First Fli-Back listing found in 1933 High Point City Directory (NCC does not have 1932):

"Fli-Back Co (Jas E and Rozena M. Gibson) novelty mfrs 603 S Main"

1940 High Point City Directory listing:

"Fli-Back & Sock-It Co (J Emory Gibson) novelties 911 W Broad"

1950 High Point City Directory listing:

"Fli-Back Co Inc J Emory Gibson pres-treas J Emory Gibson jr v-pres-asst treas Mrs Rozena M Gibson sec toy mfrs 716 W Green"

"[Fli]-Back Sales Corp J Emory Gibson jr pres J Emory Gibson Edw R Klug v-prests Mrs Rozena M Gibson sec David E Carter treas 716 W Green"

1950 High Point City Directory listing for Gibson home(s):

"[GIBSON] J Emory (Rozena M) pres-treas Fli-Back Co and v-pres Fli-Back Sls Corp h1109 Forest Hill dr"

"[GIBSON] J Emory jr (Daisy E) pres Fli-Back Sls Sock-It and v-pres-asst treas Fli-Back Co h1005 Emery rd"

Last Fli-Back listing, 1982 High Point City Directory:

"Fli-Back Co Inc (Eagle Div) toy mfrs 716 W Green Dr"

NORTH CAROLINA COLLECTION
VERTICAL FILE NC/HP
Historic Businesses

check with High Point Museum, also



Stanley Taylor

The U.S. Furniture Industries, established here in 1946 by Stanley Taylor, has spread its varied lines into a dozen units - seven of them in High Point (and another close by at Thomasville) where home offices are based - producing a vast amount of furniture closer to markets. There's one each at Milford, Conn.; Heath, Ohio, near Columbus; Dallas, Texas; and Beloit, Wisconsin, as units of its Chatham County line. It draws a lot of its wood pre-cut from Yugoslavia, Spain, Poland and Israel. Its executive vice president, Bob Friedman, is also executive vice president of the U.S.-Yugoslav Economic Council.



A. Pat Brown

The late Pat Brown, who topped a remarkably varied business career by building a worldwide lumber operation, opened the Amazon River basin in Brazil to large-scale exotic wood developments in cooperation with the Brazilian government. He had to overcome a world of problems in setting up in that tropical area sawmills, living quarters, even a hospital, to develop into the largest shipper through North Carolina ports. After selling his lumber business, Mr. Brown devoted himself to redevelopment and philanthropies, including a \$500,000 gift of property to High Point College.

And Norman Schwartz, who set up here his Rosaine Shop dealing in ladies ready-to-wear, has spread that operation to include additional outlets at Lexington, Hickory, Morganton, Asheville, Gastonia and Winston-Salem.

Another far-flung merchandising operation directed from High Point is the White Star Discount Centers, Inc., health and beauty aid emporiums founded in

Pilot Mountain, Troy, Sanford, Kannapolis in North Carolina, and one at Wytheville, Va. It is serviced out of Foleys, Inc., in High Point.

Herman Bernard and Arthur Cassell set up Casard Furniture Manufacturing Company in 1948 and have spread it into three plants here, three at Greensboro and one at Mebane.

George S. Erath, a venter manufacturer based in High Point, operates cutting plants at Martinsville, Va., and Harrisonburg, West Virginia.

Many High Point manufacturing plants maintain sales offices and in many instances their own warehouses serving strategic markets directly. Alma Desk Company, with three huge plants, the largest manufacturer of wood office furniture and a pioneer in its field, is a case in point with two warehouses in Texas, and one each in Kansas City, Kansas, Denver, Los Angeles, San Francisco and Seattle.

Myrtle Desk Company, another pioneer desk firm and a large supplier of library furnishings as well, maintains its own warehouses in much the same manner Alma does successfully.

One of the most amazingly successful industrial developments to make High Point famous in the 1930s was the paddleball boom in which the late J. E. Gibson developed the Fli-Back Company which poured them out by the millions for a market that was worldwide. They still produce 5 or more million annually. World War II shut down Gibson's plant, but it re-opened in 1942 making a line of wooden tanks and Jeeps designed by Mr. Gibson's son, Emory, Jr. In 1946 the Fli-Back returned and was joined by a growing assortment of tops, batons, beachballs and other toys, but Mr. "Fli-Back" Gibson remained most loyal to the 10-cent paddleball made from two sheets of Brazilian meritangi veneer around a filler core of Peruvian lapuna. The Fli-Back plant is wedged between two giant desk manufacturers in a lineup of great firms dominating their respective fields.

Carolina Container Company, one of three large independents in the field, began business in 1928 when the late C. T. Ingram, together with the late I. Paul Ingle and Grattan Foy, organized the Carolina Container Company being carried on by Mr. Ingram's son, C. T. Ingram, Jr., as president, treasurer and general manager. The firm has just added at a cost of \$15 million a 1200-foot long corrugating machine, one of eight which are the largest and newest doing work as wide as 109 inches. It produces containers for the High Point base plant as well as for the Hickory branch plant, together serv-

FLI-BACK

NORTH CAROLINA COLLECTION 9
VERTICAL FILE NC/HP

High Point - Historic Businesses

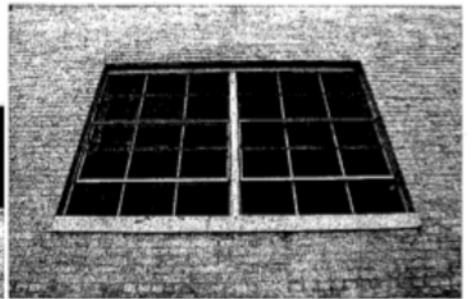
High Pointers of High Point. By Holly McPherson 1976



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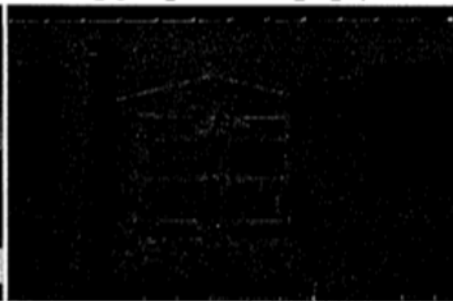
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**Guilford
County**

**Historic
Preservation
Commission**

**Rules of
Procedure**

February 16, 2022 (Draft)

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GUILFORD COUNTY HISTORIC PRESERVATION COMMISSION RULES OF PROCEDURE

Section 1. Purpose and Duties

1.1. Purpose

To establish procedures for organizing and conducting the business of the Historic Preservation Commission (hereinafter, "HPC") in executing its duties and responsibilities.

1.2. Duties

The duties of the HPC shall be those listed *in Article 2-Administration, Section 2.6.* of the Guilford County Unified Development Ordinance (hereinafter, "Development Ordinance").

1.3 Jurisdiction

The HPC's jurisdiction for approval of Certificates of Appropriateness within Historic Districts Overlays shall be delineated on the official zoning map.

Section 2. General Governing Statutes, Ordinances and Rules

The HPC is governed by the applicable provisions of the North Carolina General Statutes 160D, Article 19; the current Unified Development Ordinance and all amendments thereto; other relevant policies established by the Guilford County Board of Commissioners (hereinafter referred to as "Board of County Commissioners"); and by these Rules to the extent that they do not conflict with the law.

Section 3. Organization of the HPC

3.1. Membership

The HPC shall be made up of eleven (11) members (collectively, "members").

3.1.1. Residency, Appointment and Qualification of Members All members shall be residents of the County and shall be appointed by the Board of County Commissioners. Members shall be trained in the fields of architecture; history; planning; archaeology or a related discipline; or have demonstrated experience or interest in the preservation of historic structures.

3.1.2. Quorum

A quorum of the HPC shall consist of a majority of the set membership, excluding vacant seats, but not excluding absents. A quorum must be present for the HPC to take any official action.

3.2. Term of Office

Members' (4)-year terms of office are set by the Board of County Commissioners and the City and Town Councils of participating jurisdictions. Members may be appointed to fill an unexpired term of a previous member. Member terms should be staggered such that a similar number of members are appointed or reappointed each year. The terms of all members shall not expire at the same time. Terms are limited to two consecutive four-year terms; except however, consecutive terms exceeding two may be served if the incumbent is re-appointed by the Board of County Commissioners to represent a different jurisdiction. Additionally, the Board of County Commissioners may waive the two-year term limit at their discretion.

3.3. Officers

3.3.1. Election of Officers

Annually, the HPC shall elect from its membership a Chair and Vice Chair. The newly elected officers shall assume their duties at the July meeting following the election or at the next meeting (regular or called) of the Board if the election is conducted in July or later, or if the July meeting is cancelled. Nominations shall be moved and seconded, and any number of members may be nominated. Voting may be done by acclamation (if only one member is nominated), show of hands, voice, or by secret ballot following a motion and majority vote of the members.

3.3.2. Chair

The Chair's term of office shall be one year, ending on June 30, but shall be eligible for reelection. The Chair shall preside at all meetings, supervise the affairs of the HPC, and subject to these rules shall decide all points of procedure unless otherwise directed by a majority of the members in session at the time. The Chair may call a special meeting as necessary.

3.3.3. Vice Chair

The Vice Chair's term of office shall be one year, ending on June 30, but shall be eligible for reelection. The Vice Chair shall preside at any meeting in the absence of the Chair and shall exercise all duties of the Chair.

3.4. Staff Assistance

3.4.1. Secretary

A staff member of the Planning and Development Department, assigned and supervised by the Planning and Development Director (hereinafter, Director), shall serve as Secretary to the HPC. The Secretary's primary duties are to prepare minutes of the meetings, maintain attendance and other official records of the HPC, and to certify and file signed decisions of the HPC, but may include other clerical and administrative duties as assigned by the Director or designee.

3.4.2. Additional Staff Support

The Director or designee shall provide professional and technical support to the HPC, which may include preparation of meeting materials, presentations, recommendations, conducting official correspondence, and other staff support as requested by the HPC and determined appropriate by the Director or designee.

3.5. Special Committees

Special committees may be established by a majority vote of the HPC to assist in studying specific issues. Special committee members shall be appointed by the Chair or a designated member. Special committees may contain persons who are not members of the HPC. The HPC may not delegate its official powers and duties to a special committee.

3.6. Attendance

Persons accepting appointment to the HPC have made a commitment to serve the citizens of Guilford County. Applicants coming before the HPC deserve a full complement of members to be present to review and recommend/decide matters. Consistent attendance at meetings of the HPC is expected.

3.6.1. Reporting Absences

A member who anticipates not being able to attend a meeting of the HPC must contact the Secretary upon receipt of the agenda (or earlier, if possible) and indicate the reason for the absence. In the event of an unforeseen emergency or illness, notification to the Secretary shall be given as early as is feasible.

3.6.2 Approved Absences

Absences due to sickness, death in the family, or other emergencies of a similar nature shall be regarded as approved absences and shall not affect the member's status on the HPC. Known work commitments, vacations, or other non-medical conditions are not approved absences. In the event of a long-term illness or other situation resulting in a prolonged absence, the member may be replaced by the Board of County Commissioners.

3.6.3. Attendance Requirement

A member who misses three (3) consecutive regular meetings 33% or more of the regular meetings held in a fiscal year due to unapproved absences loses status as a voting member until reinstated by the Board of County Commissioners and may be replaced. Attendance records shall be periodically reviewed by the Director, who shall inform the member of any noncompliance with the attendance requirement.

3.6.4. Absence of Officers

In the absence of both the Chair and Vice Chair, the HPC membership in attendance shall vote to determine an acting Chair for the meeting.

3.7. Vacancies

3.7.1. Filling Vacancies

A vacancy in the office of Chair shall be filled by the Vice Chair, succeeding to the office for the remainder of the unexpired one-year term of the Chair. A vacancy in the office of Vice Chair shall be filled by election of a new Vice Chair from the membership for the remainder of the one-year unexpired term of the Vice Chair. Member vacancies shall be filled by a new member appointed by the governing body to fill the remainder of the unexpired term.

3.7.2. Member Continuing Service Beyond Term

Members completing a term of office, who have not been reappointed and for whose seat a new appointment has not been made by the governing body, may continue to serve until reappointment or a new appointment is made.

3.8. Resignations and Removal

3.8.1. Resignation

A. HPC members who have chosen to resign before the expiration of their must notify the Director or designee in writing (letter or email). This notice shall include the date upon which the resignation is effective, which if possible, should be at least thirty (30) days from the date of the notice.

B. If a member of the HPC no longer resides within the County, the move constitutes a resignation effective upon the date of the move.

C. The Director shall promptly inform the County Clerk of any vacancy on the HPC.

3.8.2. Removal

A. HPC members may be removed by the governing body for cause, including but not limited to violation of these Rules.

B. The HPC may, by unanimous vote of the other members, recommend that a member be removed for cause and a replacement be appointed by the governing body. Such a recommendation shall be communicated in writing by the Director to the governing body and to the HPC member in question in writing.

Section 4. Meeting Structure

4.1. Open Meetings

It is the public policy of North Carolina that the hearings, deliberations, and actions of public bodies that administer the legislative, policy-making, quasi-judicial, administrative and advisory functions of political subdivisions conducting the people's business, be conducted openly. Therefore, all official meetings of the HPC, with a very few exceptions that are allowed by state law, shall be open to the public and any person is entitled to attend. The public's right to attend such meeting does not necessarily entitle the public to participate in the meeting. An official meeting means a gathering together at any time or place, or the simultaneous communication by conference telephone or other electronic

means, of a majority of the members of a public body for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting the public business that is within the jurisdiction, real or apparent, of the public body.

4.2. Regular Meetings

4.2.1. Date, Time, and Place

Regular meetings of the HPC shall be held on the second Wednesday of each month at 6:00 p.m. Regular meetings may be established at an alternate time and date at the discretion of the HPC due to holidays or other reasons. The meetings shall be held the Blue Room, Old County Courthouse, or any other location within the County as properly advertised.

4.2.2. Meeting Schedule

Regular meetings for the calendar year shall be made available to the public in paper or electronic format and posted on the Department's website. Changes in the regular meeting schedule shall follow the notice requirements of North Carolina law.

4.2.3. Meeting Notice

Notices of meetings shall be provided in accordance with the notice requirements of North Carolina law.

4.3. Special Meetings

A special meeting of the HPC may be called at any time by the Chair or by a majority of the membership. Notice of the date, time and place of the special meeting, along with the purpose of the meeting, shall be provided by the Director to each member at least 48 hours in advance of the meeting. Only those items of business specified in the notice may be transacted at a special meeting. The notice must be posted on the Planning & Development Department website and shall comply with all other applicable notice requirements of North Carolina law.

4.4. Continued Meetings

Any regular or special meeting may be continued or postponed to another specific date, time and place without additional public notice by a majority vote of the HPC, in accordance with the deferral and continuance provisions of the Development Ordinance, as applicable, and these Rules.

4.5. Cancellation of Meetings

Whenever there is no business for the HPC, the Director or designee may recommend that the Chair cancel a meeting. The Chair may cancel any meeting for good cause, including a known lack of a quorum or severe weather. Notice shall be given by the Director or designee, at least twenty-four (24) hours before the meeting was scheduled to take place, to all members and to the press, applicants and other interested persons. In the case of severe weather, notice of cancellation shall be given at the earliest practical time.

4.6. Agendas and Meeting Order of Business

4.6.1 Agendas

Meeting agendas and appropriate review materials and reports shall be prepared by the Director or designee or Secretary and distributed to all members. No business, old or new, may be considered by the HPC unless such item properly appears on the agenda. However, a matter of business not subject to public notice requirements may be discussed or considered as a non-agenda item if the HPC approves for consideration.

4.6.2 Meeting Order of Business

The order of business at meetings shall be:

- Call to Order (including roll call)
- Approval of Minutes of Previous Meeting(s)
- Chair's Remarks and Instructions
- Unfinished Business (continued cases; items previously discussed for which action was held or delayed; or work session items)
- Hearing Items
- New Business (other than hearing items)
- Committee Reports (if applicable)
- Announcements
- Adjournment

The order of agenda items may be changed by the Chair if there is no objection from the members present.

4.7 Hearings

4.7.1 Application Submittal

In accordance with the Development Ordinance, the Director or designee shall establish specific submittal requirements and review schedules for the applications heard by the HPC.

4.7.2 Attendance by Applicant

The Director or designee shall notify the applicant of the date, place and time of the hearing in accordance with the public notification requirements of the Development Ordinance. The applicant, or a knowledgeable representative of the applicant, is expected to attend the hearing to support the application. This attendee should be capable of addressing issues and answering questions. If no one is present to represent the application, the HPC may, in its discretion, continue the hearing to its next regular meeting.

4.7.3 Type of Hearing

The HPC follows a quasi-judicial, evidentiary hearing process for formal review of Certificates of Appropriateness, which requires all testimony to be sworn, and which requires the HPC to conclude certain findings before approving a Certificate of Appropriateness.

4.7.4 Hearing Procedure

The HPC shall conduct its hearings in accordance with the quasi-judicial, evidentiary hearing procedures of the Development Ordinance outlined below:

- 4.7.4.1** Chair announces the item from the agenda
- 4.7.4.2** Swear-in or affirm witnesses
- 4.7.4.3** Hear staff presentation and recommendation
- 4.7.4.4** Hear applicant testimony
- 4.7.4.5** Hear testimony from the public (for and against the application)
- 4.7.4.6** Rebuttal/cross-examination of proponents/opponents
- 4.7.4.7** Closing of testimony from the public by the Chair
- 4.7.4.8** HPC asks questions of staff, applicant, persons who have testified
- 4.7.4.9** Deliberation and decision

4.7.5 Evidence

A. Although the HPC is not bound by all the rules of evidence followed in judicial proceedings, evidence upon which decisions are based should be material (directly related to the matter and likely to influence the decision), substantial (of real value, worth or importance) and competent (having legal capacity or qualification).

B. The HPC may, in its discretion, view the premises and obtain facts concerning any application before arriving at a decision. All decisions of the HPC shall be supported by appropriate Findings of Fact. Findings of Fact may not be based on hearsay evidence. Hearsay is a statement not made at the hearing that the proponent seeks to have admitted as evidence of the truth of the matter asserted in that statement.

C. The HPC, in order to make a defensible decision, should not rely on the opinion testimony of laymen to support a finding that requires information from those with expertise in the matter.

4.8 Public Testimony

The Chair may limit repetitive testimony on any item and may restrict anyone from making inappropriate or malicious remarks or remarks not pertinent to the matter under consideration.

4.9. Advisory Review by Historic Preservation Commission

For larger or more complex projects, such as new construction or certain accessory structures, an Advisory Review by the HPC is offered. The purpose of an Advisory Review is to provide helpful feedback to the applicant early in the design process. There is no fee for this review. Examples of projects that would benefit from an Advisory Review include:

- construction of an addition,
- construction of accessory structure greater than 120 sq. ft. or 2 stories,
- new construction,
- relocation of a structure; and
- alternatives to original materials.

4.9.1 Scheduling an Advisory Review

Advisory Reviews are held at the end of regularly scheduled HPC public meetings which begin at 6:00 p.m. and occur on the third Thursday of every month. A completed Advisory Review form and required materials must be submitted according to the same application submittal deadlines as for formal Certificate of Appropriateness applications. Advisory Review submittals are advertised along with the regular HPC public meeting agenda.

4.9.2 Completing an Advisory Reform

An Advisory Review form must be completed, signed and submitted with drawings with a minimum of overall dimensions and completed at least to the conceptual level (preferably printable at 8.5" x 11") which depicts the existing structure and/or proposed changes or new construction including:

- site plan indicating proposed building footprint and setbacks with dimensions if known;
- photographs of the proposed site including any available historic photos and aerials; for relocation of a structure
- photographs of each façade; labeled with name of property, situs address, and viewpoint and keyed to the site plan;
- elevation drawings of new construction/changed façades as needed with *at least overall* dimensions (drawings depicting three-dimensional views and physical models are typically optional, but are very helpful in conveying more complex projects effectively);
- specifications and/or samples for materials, architectural details, and elements such as windows and doors (for applications to relocate a structure, provide information on proposed revisions to the structure that would result from the relocation); and
- while not required, a 3-D or modeling study of a streetscape if infill construction is proposed is helpful in the HPC's review.

4.9.3 Advisory Review Public Meeting

Although it is the goal of the HPC to provide comments that will result in a project that will be approved, comments provided during the Advisory Review are not binding, and the final decision of the HPC shall not be based on these comments. The informal review format is as follows:

- Staff will make a brief presentation (5 minutes) identifying aspects of the project that should be addressed by the HPC.
- Applicant will make a presentation (5 minutes) describing the project.
- The HPC will discuss the project and consider whether the project is consistent with the applicable Review Standards and the SOI Standards. While HPC members may discuss the appropriateness of a design approach and how may or may not be supported by the local designation Review Standards or the SOI Standards, their role is not to re-design the project, but to respond to the project before them. Given the complex nature of some large rehabilitation projects, the HPC may recommend that the applicant retain an architect with experience in restoration or infill design.
- The HPC Chair will summarize aspects that were identified as not meeting specific Review Standards. Depending on the degree of clarity of the presentation or the degree of revisions that are recommended, the applicant may request or the HPC may recommend an additional Advisory Review.

Section 5. Conducting Business

5.1. General Expectations of Members

- Be generally familiar with the laws and ordinances relating to the work of the HPC, and with these Rules of Procedure;
- Be prepared for meetings by examining the information provided in the meeting packet and consulting staff with questions; visit each site to observe from right-of-way.
- Ask questions as appropriate during the hearing and actively participate in deliberations;
- Consider all information on each matter before the HPC and make an informed decision; and
- Make decision in a fair, ethical, and non-arbitrary consistent manner.

5.2. General Conduct of Members

Members of the HPC participating in a hearing and making a decision or a recommendation are expected to act in accordance with the following:

5.2.1. No Prejudice

Members shall consider the application/request without prejudice.

5.2.2. No Commitment Prior to Review

Members shall take no public position on an application or on any proposed condition prior to the meeting at which the application is heard.

5.2.3. No Deliberation or Formulation of Decision Prior to Meeting

Members shall refrain from deliberation with other members or formulation of a judgment or decision prior to the meeting at which the application is heard.

5.2.4. No Ex-Parte Communication

No HPC member shall, in any manner, discuss any Certificate of Appropriateness application with the applicant, other HPC members, or any other parties prior to the HPC's deliberations on the matter during the hearing. The HPC's quasi-judicial procedures are designed to ensure that all information and discussions regarding the matter under consideration take place during the HPC's evidentiary hearing, so that all parties hear the same testimony at the same time, and so that persons giving testimony can be questioned in person by the HPC and by opposing parties. Any communication regarding a pending application that does occur outside of the hearing must be fully disclosed by the member or members involved before the start of the appropriate hearing. Members may, however, seek or receive explanatory information or clarification pertaining to the application from the Director or designee prior to the hearing. Any such explanation or clarification shall be provided by the Director or designee to all members.

5.2.5. Acknowledgement of Relationship or Association with an Applicant or Other Party

Members should, prior to or at the beginning of the public hearing, disclose any past or present close familial, business or associational relationship with an applicant or other party to the matter.

5.3. Violation of Due Process / Conflict of Interest

A member shall not participate in or vote on any matter that has a direct, substantial and readily identifiable financial impact on the member, nor participate in or vote on any matter in a way that would violate the applicant's or an affected person's constitutional right to an impartial decision-maker. Adhering to these Rules can help members to avoid situations that can affect impartiality and therefore present a conflict of interest, or the appearance of a conflict of interest.

Members are encouraged to consult the Director or designee regarding situations that may be considered a conflict of interest or a perceived conflict of interest.

If a member has a conflict of interest regarding any matter before the HPC, the member should inform the Director or designee as soon as possible in advance of the meeting, to allow time for an alternate member to be contacted to participate in his or her place.

5.3.1. Recusal (Excuse from Participation)

If a member realizes at the meeting that he or she may have a conflict of interest concerning a matter on the agenda, a request for recusal must be made immediately before the start of the hearing and must be voted on (recognized) by the HPC for the record. A member with a recognized conflict of interest relative to any matter shall not participate in the hearing, deliberation or voting on the matter. A recused member shall physically vacate his or her seat while the matter is being considered. If there is a challenge to a member's participation in a matter due to an alleged conflict of interest, the member shall be given the opportunity to request recusal, or to refute the allegation. The remaining members of the HPC shall then by majority vote in order to decide the issue.

5.4. Motions

The HPC shall proceed in all matters by motion. Any member, including the Chair, may make or second a motion. A motion may be amended by any member, subject to the agreement of the member who made the motion. A motion may be withdrawn by the member making the motion at any time before a vote. Unless withdrawn, all seconded motions must be voted upon. A motion that does not receive a second fails automatically and is not voted upon.

5.4.1. Substantive and Substitute Motions

Substantive motions are non-procedural motions that result in final disposition of the matter under consideration. The HPC motions are:

- Approval as submitted (no changes to the application)
- Approval as amended (with specific conditions or additions stated)
- Denial

All substantive motions are debatable and require a majority vote of members present to approve. While a substantive motion is pending, meaning that it has been seconded but not voted upon, a *substitute motion* regarding the same issue may be introduced. If seconded, the substitute motion shall be voted upon first. If the substitute motion is approved, the original motion is

automatically deemed denied. If the substitute motion fails, then the original motion is voted upon, or another substitute motion can be made. Only one substitute motion can be under consideration at a time.

5.4.2 Procedural Motions

Procedural motions in the collective provide a structure for conducting the business of the HPC and promote propriety of behavior. Below are procedural motions that may be utilized in meetings of the HPC:

- Approval of minutes
- Postpone consideration (to a date and time certain, with reasons stated)
- Take a recess (a short break)
- Call the question (to end discussion among HPC members)
- Refer to committee (where an appropriate committee exists)
- Re-open public testimony (after the Chair has closed it)
- Reconsider (re-open a case decided at the same meeting)
- Adjourn
- Excuse from participation (recuse) (voluntary - exclusion from participation in a matter)
- Remove from participation (involuntary - when an objection to participation is raised by another HPC member or a party to the matter and is found to be valid by the HPC)
- To consider an item not on the meeting agenda (if not subject to evidentiary notice requirements)
- To change the order of agenda items (when the Chair does not have unanimous consent).

All procedural motions are open to discussion with the exception of a motion to recess, adjourn or call the question, which are voted on immediately. All motions require a majority vote of the members present.

5.5. Deliberation

When a motion is introduced and seconded, the Chair should state the motion for the purpose of clarity and understanding, and then open the floor for discussion by the HPC members. The member who introduced the motion is entitled to speak first, and all members should be given the opportunity to speak. Any member may move to call the question when it appears that deliberations are concluded, or there is an impasse. A majority vote will then end deliberations. A vote is then taken on the original motion.

5.6. Decisions

Provided a quorum is present, all decisions of the HPC shall be made by a majority of the members present.

5.6.1. Qualification to Vote

No HPC member shall vote on any matter before the HPC unless that member shall have attended the previous deliberations on such matter or shall otherwise have the approval of the Chair to vote on such matter. The Chair's approval shall be contingent on the assurance by the member that the member has read or reviewed all material distributed to the HPC related to the matter, including any material presented by the applicant during the previous deliberations and the minutes of any meeting at which the matter was discussed.

5.6.2. Voting

- A.** No member attending the presentation and hearing on a matter shall be excused from voting except for cause by majority vote of the HPC.
- B.** A failure to vote by a member who is physically present at the hearing, or who has withdrawn without having been excused or recused by the HPC, shall be recorded as an affirmative vote.
- C.** A tie vote constitutes disapproval of the motion.
- D.** The method of voting shall be decided upon by the Chair, and may be by show of hands, "yes" or "no", or roll call. Any member may motion for a roll call vote on a matter, which shall require a majority vote to conduct.

5.6.3. Form of Decisions

Certificate of Appropriateness (COA) decisions shall be certified and filed by the Director or designee and communicated to the applicant in writing within ten (10) business days of the decision. Decisions regarding COA applications must be based on whether the proposed activity is congruous with the special character of the historic district or Historic Landmark. Notification shall include any instructions or conditions relative to the action taken. The Planning and Development Director shall make all decisions available to the public in the offices of the Planning and Development Department during normal business hours.

5.6.4 Expiration of Decisions

A COA shall expire and become null and void if construction, any approved change, relocation, or demolition has not commenced for projects approved by the COA within 1 year (365 days) of its issuance.

Section 6. Record Keeping

The minutes of all meetings and other records of the HPC shall be maintained by the Secretary or other designee of the Director. Minutes of meetings shall be prepared by the Secretary or designee and should be transmitted to the HPC prior to the next regular meeting. Minutes are not official until approved by the HPC, at which time they become the official public record of the HPC's actions.

Minutes shall include the following:

- Date, time and place of the meeting
- Names of members in attendance and names of absent members
- Names of staff members in attendance
- Names and addresses of owner(s), agent(s), applicant(s) and others that spoke on each matter
- A summary of evidence presented to the HPC on each matter
- A summary of the discussion on each matter
- The wording of each motion or resolution, including which members made the member seconded the motion; and
- All votes of the HPC.

All application records and supporting materials are to be retained electronically by the Director in accordance with North Carolina records retention rules.

Section 7. Rehearing of Denied Applications

The HPC has no legal authority or jurisdiction to hear the same matter a second time. Therefore, if an applicant desires to submit a second application regarding a previously denied request, the applicant must first appear before the HPC to present evidence that there has been a substantial change in the application, relevant ordinance provisions, evidence or material site conditions in the matter that presents new issues, hence allowing a second application to be heard as an entirely new proceeding. If the HPC determines no substantial change exists, it shall deny a rehearing on the matter. If the HPC determines that there has been a substantial change, it shall thereupon treat a subsequent application in the same manner as any other application.

Section 8. Modifications to Applications

An approved or pending application for a Certificate of Appropriateness may be modified by a written request from the applicant to the HPC. Such a request shall include a description of the proposed change and shall be accompanied by elevations, plans or other drawings, where necessary. If the HPC finds that the modification constitutes a substantial change which might affect surrounding property owners, it shall notify affected property owners following the procedures set out in Section 4 of these Rules before taking action on the modification. The HPC shall thereupon treat the request in the same manner as any other application as outlined in Section 4 of these Rules.

Section 9. Appeals

An appeal may be taken to the Board of Adjustment from the HPC 1) may be taken by any aggrieved party, 2) shall be taken within fifteen (15) days after the decision of the HPC, and 3) shall be in the nature of certiorari. Any appeal from the Board of Adjustment's decision in any such case shall be heard by the Superior Court of Guilford County.

Section 10. Amendment of the Rules of Procedure

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of a majority of members present, provided a quorum of members exists, and provided that the amendment to be voted on was presented in writing and entered into the minutes at a regular or special meeting preceding the meeting at which the vote is taken. Amendments adopted as above shall become effective at the next regular meeting of the Commission.

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