

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, November 14, 2007 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review minutes.
3. Voucher approval.
4. Revolving Loan Fund/Retaining Wall Grant Update.
 - a. Retaining Wall Applications
 - i. 2 Dudley Street – Barn Restoration
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
5. Old Business
6. New matters before the Deadwood Sign Commission
 - a. 78 Cliff Street – Dakota Territory Federal Credit Union
7. New Matters before the Deadwood Historic District Commission
 - a. 795 Main Street – Rear addition – NHS
8. New matters before the Deadwood Historic Preservation Commission
 - a. 20 Dudley Street – Breezeway over ramp – Clyde Stratman
 - b. 100 Pinecrest – Ramkota Project – Deadwood Resort, LLC
 - c. Ball Mill Donation – Tom Blair
 - d. Display Case for artifacts – City Archives
9. Items from Citizens not on agenda.
10. Committee Actions and Reports (*Committee Assignments on Back*)
11. Staff Report
12. Other business
13. Adjournment

Executive Session – Legal Matters

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, November 14, 2007

Present Historic Preservation Commission: Darin Derosier, Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present.

Absent Historic Preservation Commission: Matt Pike.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, November 14, 2007 at 5:00 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

There were no minutes available for approval.

Voucher Approval

Operating Account:

It was moved by Mr. Mike Olsen, seconded by Ms. Feterl and carried unanimously to adopt a resolution to approve the HP Operating Account in the amount of \$62,965.69.

Bonded Account:

It was moved by Mr. Mike Olsen, seconded by Mr. Steve Olson and carried unanimously to adopt a resolution to approve the HP Bonded Account in the amount of \$42,391.30.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Retaining Wall Applications

Barn Restoration – 2 Dudley Street

Historic Preservation Officer, Kevin Kuchenbecker, explained that on October 22, 2007 the City of Deadwood received and opened three bids for the barn restoration project at 2 Dudley Street, Deadwood, SD. He added that this is one of the few outbuildings that has agricultural-style architecture remaining within the Deadwood National Historic Landmark District, and is listed as a contributing resource to the National Register of Historic Places. He reminded the Commission that Lance Engineering of Spearfish was hired to work with the property owner, Richard Morgan, who put together specifications for both the retaining wall and restoration of this historic resource. He went on to explain that it was put out to bid and three (3) bids were received. Mr. Kuchenbecker said that while the bids came in high, with the lowest being \$199,500.00, that would be reduced by \$53,500.00 due to the owner completing part of that work which would make the owner's share \$99,347.00 in cash and equity.

Mr. Derosier questioned whether or not, under the retaining wall program, if a retaining wall already had to be in existence. Mr. Kuchenbecker explained that a retaining wall is already there, is failing and is threatening the historic resource. Mr. Steinlicht asked for an explanation as to what the difference was between Machine Shed Erection and Barn Structural Upgrade, to which Mr. Morgan explained that the Machine Shed is the north part of the barn and the Upgrade part is changing out timbers and supports.

Ms. Feterl said that with all the programs available, no one has been asked to match 50%, and with this project, the owner is willing to have close to a 50% match.

Mr. Kuchenbecker recommended that a conservation easement should be included so that the current property owner, as well as future property owners, would protect that resource in perpetuity. City Commissioner, Georgeann Silvernail, asked if that meant Historic Preservation would forever be responsible for taking care of this building, to which Mr. Kuchenbecker replied that the conservation easement would be written in a way that it would be the owner's responsibility to maintain that property.

Mr. Derosier stated that it would be nice to save the barn, but felt it was beyond repair. He went on to say that if this kind of money was available for a retaining wall, he would rather see those funds used for wood windows and siding for homes that people actually live in that could not afford to do otherwise.

Ms. Oberlander stated that she did not see Historic Preservation's part as restoring the barn, but repairing the retaining wall. Mr. Steinlicht questioned the timeline for the project completion and what the guarantee would be if Historic Preservation were to replace the retaining wall and making sure the remainder of the project was completed. Mr. Kuchenbecker explained that if the retaining wall were approved, a contract would be entered into with the owner and the contractor.

Mr. Steve Olson expressed concern over getting legal counsel prior to approving or disapproving the project, to which Mr. Kuchenbecker said there was a 30-day window of opportunity from the time the bids were let and it was possible that the bid process would have to be started over.

Ms. Oberlander stated that when agreeing to share in the engineering costs, it was also agreed to share with the restoration of the barn. She further added that the cost of the City was for the retaining wall and that many retaining walls had been put up in the City. She also wanted to clarify that the City is only paying for the retaining wall and not the barn restoration, and that there is a retaining wall program available with many people benefiting from it.

Mr. Kuchenbecker said that should the Commission decide to award the bid for the retaining wall he would be working with legal counsel to bring forth a formal agreement for review that would outline the conservation easement and a timetable with some assurance that the project moves forward with stabilization and restoration of the historic resource. He further added that if the landowner does not conform to the agreement there would be a recapture clause.

It was moved by Mr. Mike Olsen and seconded by Ms. Feterl to accept 2 Dudley Street into the Retaining Wall Grant Program in the amount of \$104,178.00 with the following stipulations:

1. That the City's legal counsel be directed to draw up a conservation easement for the barn located at 2 Dudley Street.
2. That the City's legal counsel be directed to draw up a contract with the property owner setting out stipulations for work to be done on the barn and completion of that work with a recapture clause.

Roll Call: Feterl, Oberlander, M. Olsen, S. Olson – Yes. Steinlicht and Derosier – No. Motion carried

Revolving Loan Disbursements

It was moved by Ms. Feterl, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the Historic Preservation Revolving Loan Fund Cash Disbursements Journal totaling \$44,606.63 as presented.

Delinquency Report:

Joy McCracken from Neighborhood Housing Services explained the delinquency report.

Revolving Loan Disbursements:

Henry Johnson – 78 Williams Street

It was moved by Mr. Mike Olsen, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve the loan for Henry Johnson at 78 Williams for \$1,500.00, Special Needs Elderly, 0% interest rate.

Terry and Barbara Hansen- 23 Burnham

It was moved by Mr. Derosier, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the loan for Terry and Barbara Hansen at 23 Burnham in the amount of \$4,400.00, Life Safety, 0% interest rate.

Mary Baudhuin – 26 Water Street

It was moved by Mr. Steve Olson, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the loan for Mary Baudhuin at 26 Water Street, \$10,000.00, Life Safety, 0% interest rate; \$50,000.00, 5% interest rate with 2nd mortgage security.

Revolving Loan – Special Needs/Wood Windows

Shirley Black – 800 Main Street

It was moved by Mr. Derosier, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the window grant for Shirley Black at 800 Main Street in the amount of \$225.00.

Tim and Monica Conrad – 52 Lincoln

It was moved by Mr. Derosier, seconded by Mr. Steve Olson and carried unanimously to adopt a resolution to approve the window grant for Tim and Monica Conrad at 52 Lincoln for \$250.00.

Loan Subordination

Rich and Janet Turbiville – 67 Taylor

It was moved by Mr. Derosier, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the loan subordination request for Rich and Janet Turbiville at 67 Taylor.

Loan Policy Guideline

Ms. McCracken explained that the Loan Committee discussed a loan policy update. It was recommended that the loan applicant is not to receive any loan proceeds for their monetary gain, and the loan applicant is not to receive loan proceeds for their own labor or materials involved in the project. She added that due to the absence of the City Attorney, Jason Campbell, it would be brought back before the board at the next meeting.

Mr. Steinlicht informed the Commission that Neighborhood Housing Services is in a fund-raising drive to raise \$40,000.00.

OLD BUSINESS

None.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

Dakota Territory Federal Credit Union – 78 Cliff Street

It was moved by Mr. Mike Olsen, seconded by Ms. Feterl and carried unanimously to adopt a resolution to approve the replacement of an existing sign at 78 Cliff Street with a variance due to the sign structure exceeding 5% of the sign face area. (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

Neighborhood Housing Services Rear Addition – 795 Main Street

Mr. Kuchenbecker explained that the applicant is requesting a Certificate of Appropriateness to construct an addition at the rear of 795 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone of the City of Deadwood. Justin Charter with Neighborhood Housing Services presented the Commission with drawings and an explanation of the project. *It was moved by Ms. Feterl, seconded by Mr. Mike Olsen and carried unanimously to adopt a resolution to approve the Certificate of Appropriateness for construction of an addition at the rear of 795 Main Street.* (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

Clyde Stratman – Breezeway at 20 Dudley Street

Mr. Stratman appeared before the Commission requesting project approval to erect a 6' x 16' cover over a handicap accessible ramp at 20 Dudley Street located in the Large's Flat Historic Overlay Zone of the City of Deadwood. Mr. Kuchenbecker explained that the occupant would build it in a way that it could be easily removed when handicap access would no longer be needed. *It was moved by Mr. Derosier to approve the project at 20 Dudley Street with the stipulation that once the handicap ramp was no longer needed the cover would be removed. Seconded by Ms. Feterl for discussion. After discussion, it was moved by Mr. Derosier, seconded by Ms. Feterl to put a time frame of five (5) years on the temporary structure, at which time the applicant would either have to remove it or ask for an extension. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

Ramkota Project – 100 Pine Crest – Deadwood, Resort, LLC

Mr. Kuchenbecker explained that the applicant requests Project Approval for the proposed new construction of The Lodge at Deadwood at 100 Pine Crest Lane in the Pine Crest Historic Overlay Zone of the City of Deadwood, South Dakota. He also added that the project is outside of the Deadwood National Historic Landmark District, and that after reviewing the project against all standards and similar to other construction, he felt that the design concept matches the standards, and compliments some of the historic fabric that was at that location. He further added that this construction would not have an adverse affect on the historic overlay zone or the historic period of the National Historic Landmark District. Larry Crane, the architect for the project from Perspective, Inc. showed a presentation with some of the highlights, materials and design concepts. Mr. Crane stated that they feel it is close to the character of the old Pine Crest Main Lodge and that the inside will look more modern, but still stay in character with the outside of the building.

Mr. Steinlicht asked what the anticipated start date would be, to which Mr. Crane replied that if they receive approval through the Gaming Commission it could be as early as December.

Ms. Feterl stated that in the staff report, there was a recommendation from the National Register of Historic Places evaluation that was conducted in April 2005, to include an interpretive sign or display that describes the history and significance of the Pine Crest Tourist Park. Mr. Crane said the design team is in the process of working that out. In addition, Ms Feterl stated there were also some recommendations from the Black Hills National Forest regarding Deadwood Dick's cabin site. Mr. Kuchenbecker stated that at this point the cabin site would be fenced off.

Ms. Feterl said the compatibility of design does not appear to dominate or distract from this rounding historic landscape and with the height a variance was received from Planning and Zoning. She also added that the width is quite large, but is broken up with rooflines and entrances. She also felt that with the proportions of the project there is nothing comparable and she likes the idea that it is tucked away as far as the setting goes. She continued to say that it is not visible from the National Historic Landmark District and is nestled in the Hills. She added that the project is very impressive and will not have an adverse effect to the character to the Pine Crest Historic Overlay Zone, nor to the National Historic Landmark status.

It was moved by Mr. Steve Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to grant project approval for the Lodge of Deadwood at 100 Pine Crest Lane as presented. (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

Tom Blair – Ball Mill Donation

Mr. Kuchenbecker said that Mr. Tom Blair and himself have had discussions regarding the possibility of a donation of an old Ball Mill that is in the campground area at Whistler Gulch. He said discussions included the potential donation of land and equipment to the City to protect that historic resource and that Mr. Blair has now provided some correspondence with a desire to move forward. He added that should the Commission accept this, it would be Mr. Blair's requirement to set a value through a fair and equitable appraisal.

Mr. Blair said they continue to field offers on the sale of this property and what has bothered him over the past year is that several people want to know if they could do something to this hillside or move the Ball Mill. Mr. Blair felt it would be a travesty to see an original piece of equipment, one of the few that is left in the United States on its original pedestals to be moved. Mr. Blair gave a brief history of the Ball Mill at the Frerichs Mine and did not feel it would be appropriate to see it moved or the site excavated.

Mr. Steve Olson asked what the cost would be to have the land re-platted, and Mr. Blair said Mike Stahl who worked for Homestake Mining Company for many years, has been to the property several times and looked at the mill, researched the historic documents and placed the value at approximately \$50,000.00 for the mill. He said he had an appraisal done of the whole campground about one year ago and they determined the land value to be about \$25,000.00. He said that John Arleth felt it would be less than \$500.00 to have it re-platted. ***It was moved by Mr. Derosier, seconded by Mr. Steve Olson and carried unanimously to adopt a resolution to approve recommendation to the City of Deadwood to accept the donation from Mr. Blair for the Ball Mill.***

Display Case for Artifacts – City Archives

It was moved by Ms. Feterl, seconded by Mr. Steve Olson and carried unanimously to adopt a resolution to approve the expenditure of \$1,322.94 to Dragoo Cabinets for a display cabinet.

HOT SPRINGS - RENOVATION GRANT

Mr. Steinlicht asked the Commission to take note of the picture from the packets where a check was presented to the Hot Springs Citizens for Progress and noted that they were very grateful to receive \$25,000.00.

ITEMS FROM CITIZENS NOT ON AGENDA:

None.

COMMITTEE ACTIONS AND REPORTS:

Advocacy: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht
No report was given.

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht

Mr. Kuchenbecker stated that the committee met with Pat Wyss regarding the Buena Vista Project and reviewed a couple of recent archeological projects that have been completed, and wanted to let the Commission know that the archeology at the Wing Tsue site was undertaken last week. He stated there are three (3) areas that will need to be mitigated.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
Mr. Mike Olsen reported that they discussed the display case, which was approved.

Budget: Commission representatives: Ronda Feterl (chair) and Mike Olsen
No report was given.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike
Mr. Steve Olson stated that the contractor has started work on the restoration plan at the St. Ambrose Cemetery.

Demolition by Neglect: Commission representatives: Mike Olsen (chair) and Steve Olson
No report was given.

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike
No report was given.

Grants: Commission representatives: Mary Ann Oberlander (chair), Ronda Feterl and Willie Steinlicht
No report was given.

Homestake Archives: Commission representatives: Ronda Feterl (chair) and Mike Olsen
No report was given.

Loans: Commission representatives: Ronda Feterl (chair), Darin Derosier and Willie Steinlicht
No report was given.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC
No report was given.

Signage: Commission representatives: Willie Steinlicht (chair) and Darin Derosier
No report was given.

Recognition: Commission representatives: Mary Ann Oberlander (chair) and Ronda Feterl
No report was given.

Representative to the Adams Museum: Commission representative: Mary Ann Oberlander
No report was given.

Representative to the Chamber: Commission representatives: Darin Derosier (chair) and Willie Steinlicht
No report was given.

Representative to the Days of '76 Board: Commission representative: Steve Olson
Mr. Steve Olson stated that the old storage building at the museum has been retired, the site has been leveled and they are waiting for Planning and Zoning to address setback concerns. He also stated that the Ft. Pierre to Deadwood Trail folks have been working extensively with the Days of '76 on the trail ride for next summer, and those individuals will be meeting at noon on Thursday, November 15, 2007 at the Deadwood Chamber of Commerce office to finalize some of the plans. He added that they have already received approximately 600 applications for the trail ride.

Representative to NHS: Commission representative: Willie Steinlicht

No report was given.

Representative to Planning & Zoning: Commission representative: Mike Olsen
No report was given.

Historic Preservation Staff:
Nothing more reported.

OTHER BUSINESS:
None.

ADJOURNMENT:

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Steinlicht adjourned the meeting at 6:30 p.m.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary