

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, May 9, 2007

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

Absent Historic Preservation Commission: Ronda Feterl.

A quorum being present, Chairman Rose Speirs called the Deadwood Historic Preservation Commission meeting to order on Wednesday, May 9, 2007 at 5:00 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes – April 25, 2007:

Prior to the meeting, Mr. Olsen noted minor grammatical errors on pages two (2) and eight (8). Chairman Speirs noted that additional information is needed within the Advocacy Committee Report section on page ten (10) referring to a training session. It was moved by Mr. Olsen, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, April 25, 2007, with the aforementioned corrections.

Voucher Approval:

Operating Account:

It was moved by Mr. Steinlicht, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the HP Operating Account in the amount of 79,487.55.

Bonded Account:

None.

Additions, Deletions, Corrections to the Agenda

It was moved by Mr. Olsen, seconded by Mr. Steinlicht and carried with Mr. Olson voting NO to approve the following addition to the agenda under New Matters before the Deadwood Historic District Commission:

- c. First Western Bank, 152 Sherman Street

It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to approve the following deletions from the agenda:

Under New Matters before the Deadwood Historic Preservation Commission:

- b. 5 Charles Street – Windows and Roof – Vernon Sailer

And, under Revolving Loan Fund/Retaining Wall Grant Update:

- a. 5 Charles Street – Special Needs Elderly – Vernon Sailer

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

638 Main Street – Sign – Mineral Palace Parking

Rich Turbiville, representing the Mineral Palace, approached the commission at this time. He stated a sign permit application for an electronic message center at 412 Main Street had been completed some time ago however, the application "was pulled"

prior to going to the commission because the applicant was informed that electronic signs are specifically prohibited by Section 15.32.130 #6 of the Sign Ordinance. At the direction of the Mineral Palace corporate office, however, Mr. Turbiville has been asked to resubmit the sign permit application for formal consideration and requests a variance to allow the sign based on the fact that an electronic message center exists at the gateway to lower Main Street.

Chairman Speirs referred to the staff report prepared by Building Official Keith Umentum which states the electronic message center is "an allowed sign not subject to a permit under Section 15.32.140 #2 of the sign ordinance which says signs specifically authorized for a public purpose are allowed, and such sign may be of any type, number, area, height or illumination". It was moved by Mr. Derosier and seconded by Mr. Olsen to adopt a resolution to deny the Sign Permit Application for an electronic message center in the parking lot at 412 Main Street next to the Union Palace at 424 Main Street, as proposed by the Mineral Palace, as such signs are prohibited by the Sign Ordinance. Mr. Olson requested clarification on the motion, specifically whether the intent is to deny the electronic portion of the sign or the sign itself. Mr. Olsen stated his motion is to deny the request for the electronic message center. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Mr. Umentum referred to the issue of the sign proposed for the parking lot, the dimensions of which have not been provided at this time. Mr. Turbiville indicated that the Mineral Palace "will probably reapply". Mr. Kuchenbecker is of the opinion that the top portion of the proposed sign is too large based on the criteria established by the Sign Ordinance. He recommended the Sign Permit Application as submitted be denied and the applicant re-apply. It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to deny the Sign Permit Application as submitted for a sign in the parking lot at 412 Main Street next to the Union Palace at 424 Main Street, as presented.

649 Main Street – Sign – Kenneth Kellar

Historic Preservation Officer Kevin Kuchenbecker noted that the address for the proposed sign is 649 Main Street, not 645 Main Street as stated on the agenda.

Building Official Keith Umentum summarized the information provided in his staff report. Staff recommends approval with a variance because the awning prevents placement of the sign below the sills of the second story windows. It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to approve the Sign Permit Application for a projecting sign at 649 Main Street, as proposed by the applicant, Kenneth Kellar, and a variance for height to allow the projecting sign to be installed above the awning and between the second story windows, due to the awning on the front of the building.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

638 Main Street – Doors & Windows – The Mint

The commission referred to the following staff report:

Case No. 07035
Address: 638 Main Street

Date: May 4, 2007

STAFF REPORT

The applicant has submitted an application for Certificate of Appropriateness for doors and windows at 638 Main Street a contributing structure located in the Deadwood City Historic Overlay Zone in the City of Deadwood.

Applicant: Robert & Don Nelson
Owner: same
Constructed: circa 1894

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

1. Historic significance of the resource: Known as the J. Schubert Building, this structure is a contributing resource in the Deadwood National Historic Landmark District. A fire in March 1894 started near this location and destroyed all of the buildings north and east of this point on this side of the street. Schubert was the first to rebuild and this building was completed within 60 days. The Mint Bar and Café occupies the main floor.

2. Architectural design of the resource and proposed alterations: The applicant is in the process of remodeling the inside of the Mint Lodging Rooms. There will be two separate bedrooms at the rear of the building which requires separate exits. Applicant desires to replace existing configuration with new door and two separate wood double hung windows.

Attachments: Yes

Plans: Limited

Photos: Yes

Recommended Decision: The proposed work will not have an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. The applicant desires to replace the existing configuration with a new door and (2) two separate wooden double hung windows to allow access for bedrooms. The dimensions of the proposed new door and windows were provided. It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness for doors and windows at the rear of 638 Main Street, the J. Schubert Building, a contributing structure located in the Deadwood City Historic Overlay Zone in the City of Deadwood, as proposed by Robert and Don Nelson, the applicants and property owners, as presented.

645 Main Street – Paint – Deadwood Harley Davidson

The commission referred to the following staff report:

Case No. 07036
Address: 645 Main Street

Date: May 4, 2007

STAFF REPORT

The applicant has submitted an application for Certificate of Appropriateness for painting of base panel or bulkhead on storefront at 645 Main Street a contributing structure located in the Deadwood City Historic Overlay Zone in the City of Deadwood.

Applicant: Deadwood Harley Davidson
Owner: same
Constructed: 1879/1880

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

1. Historic significance of the resource: Known as the Graves and Curtis Building, this structure is a contributing resource in the Deadwood National Historic Landmark District. The rear portion of this building was built in the summer of 1879 as a fireproof warehouse to serve a wooden furniture and housewares store facing Main Street. The warehouse walls survived the fire in September of that year, and the new brick store front was built in the summer of 1880. Similar businesses occupied this building until the 1920's, when one of the show windows was converted into a garage door and the building became an automobile storage. It later returned to retail use.

2. Architectural design of the resource and proposed alterations: The applicant is in the requesting approval to paint the base panel or bulkhead on storefront at 645 Main Street in earth colors. Color samples to be submitted by meeting.

Attachments: Yes

Plans: Limited

Photos: Yes

Recommended Decision: The proposed work will not have an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. The applicant has not provided paint samples for his review at this time, however, Mr. Kuchenbecker recommended the commission take action on the matter pending his review and subsequent approval of the proposed paint colors rather than continuing the matter. It was moved by Mr. Steinlicht, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness for painting of the base panel or bulkhead on the storefront at 645 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone in the City of Deadwood, as proposed by Deadwood Harley Davidson, the applicant and property owner, as presented, authorizing the Historic Preservation Officer to review and approve the paint colors.

152 Sherman Street – First Western Bank

The commission referred to the following staff report:

Case No. 07035

Address: 152 Sherman Street

May 9, 2007

STAFF REPORT DEADWOOD HISTORIC PRESERVATION COMMISSION CERTIFICATE OF APPROPRIATENESS

Applicant: First Western Bank

Constructed: 1891 – Contributing

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVAL

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

- 1. Historic significance of the resource:** This building is a contributing resource in the Deadwood National Historic Landmark District. When the first Burlington and Missouri River Railroad train arrived in Deadwood on January 28, 1891 this building was already under construction. It was finished two weeks later and immediately went into service as the company's freight depot. Rooms on the second floor were used as offices and drafting rooms for the engineers, and occasionally as sleeping rooms for employees. Passenger tickets could also be purchased here until the main depot was completed at the intersection of Sherman and Deadwood Streets.

Moved from its original location just east after its abandonment in the 1980's, the building served briefly as a saloon. It was then moved to its current location. The railroad's parent company, the Chicago, Burlington and Quincy, built several freight depots similar to this one in the area.

2. **Architectural design of the resource and proposed alterations:** The applicant is proposing to move the ATM five (5) feet to the south to allow for interior reconfiguration of the space. The applicant also proposes to repair the north window where it has deteriorated from moisture damage. The building will be repainted the same color with replacement siding where necessary with matching siding.
3. **Attachments:** Enclosed
4. **Photos:** Enclosed

Recommended Decision:

The applicant is a good steward of its historic properties. The proposed work and changes will have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information included in the staff report. The applicant is proposing to relocate the existing automated teller machine (ATM) five feet (5') to the south to allow for interior reconfiguration of the space. The applicant also proposes to repair the north window where it has deteriorated from moisture damage. The building will be repainted the same color with replacement siding installed where necessary to matching the existing siding.

Mr. Derosier referred to the recommended decision section of the staff report which states the proposed work will have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District. Mr. Kuchenbecker stated that is an error as the work will not have an adverse effect. It was moved by Mr. Steinlicht and seconded by Mr. Olsen to adopt a resolution to approve the Application for a Certificate of Appropriateness for First Western Bank at 152 Sherman Street, a contributing building located in the South Deadwood Historic Overlay Zone in the City of Deadwood, as proposed by First Western Bank, the applicant and property owner, as presented. Mr. Derosier requested more information regarding the replacement siding and Mr. Kuchenbecker stated the applicant will match it precisely to the existing siding material. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

Deadwood Alive Request:

The commission referred to a memorandum dated May 1, 2007, jointly prepared by Historic Preservation Officer Kevin Kuchenbecker and the HPC Budget Committee regarding the additional request for funds from Deadwood Alive. Mr. Kuchenbecker read the majority of the memorandum and concluded by reporting that the budget committee recommends the request for additional funds above the already budgeted amount of \$100,000.00 for living history be denied. It was moved by Mr. Olsen, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to deny the request for additional funding from Deadwood Alive over and above the \$100,000.00 already budgeted for living history in 2007.

124 Charles Street – Front Doors – Sally Reiman:

The commission referred to the following staff report:

Case No. 07032
Address: 124 Charles Street

Date: May 4, 2007

STAFF REPORT

The applicant has submitted an application for Project Approval for replacement of front doors at 124 Charles Street a non-contributing structure located in the Cleveland Historic Overlay Zone in the City of Deadwood.

Applicant: Sally Reiman and Malcolm McKillip
Owner: same
Constructed: circa 1895

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

1. Historic significance of the resource: The front of this house has been altered with modern windows and an enclosed vestibule. Because of these alterations, the house has lost integrity and cannot contribute to the Deadwood National Historic Landmark District at this time. However, the 1993 survey indicates the structure could be eligible in the future.

2. Architectural design of the resource and proposed alterations: The applicant has replaced the aluminum storm doors (original doors missing) with steel half glass doors with raised panels. The work was completed with out building permit or Project Approval.

Attachments: Yes

Plans: No

Photos: Yes

Recommended Decision: The proposed work and changes has had an additional adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District; however, the building is currently non-contributing and the change or alteration is on a portion of the existing building which would be removed if an owner would desire to take the structure back to a contributing resource. This alteration is reversible.

Malcolm McKillip came before the commission at this time. He began by thanking the commission for its previous support of the project at 846 Main Street which is now complete.

Regarding the work underway on the property located at 124 Charles Street, the property owners are in the process of remodeling the interior. Showers upstairs and downstairs have been removed and the doors on the interior and exterior of the structure have been removed. He described the exterior doors as "old aluminum storm doors, some with a window...some without. They were torn and dilapidated". The doors inside of that were removed and replaced with doors he felt were appropriate for the area and added to the aesthetics of the building.

Mr. McKillip responded to a question by Chairman Speirs and admitted a building permit was not obtained prior to starting the work. This project began as a simple one with plans to replace the carpet and paint. Then an interior wall was moved approximately eight inches (8") because of electrical and plumbing and a partial wall was removed. He apologized to the commission and stated he does intend to apply for a building permit.

Mr. Olson questioned whether there was another entry door inside the existing aluminum storm door. Mr. McKillip reported that there was no other door. Mr. Derosier recalled the dilapidated condition of the old door and reported having been by the property; he feels the new doors are an improvement.

Mr. Kuchenbecker stated the most recent changes were completed on the part of the structure that is already noncontributing and the alterations are reversible. If a person were to acquire the property with the intention of returning it to a contributing structure, "those doors and the porch would be gone".

Chairman Speirs called for an opinion on an administrative matter regarding imposing a penalty amounting to double the amount of a building permit fee. Mr. Kuchenbecker stated an investigation fee was allowed under the Uniform Building Code (UBC); city ordinance does not, at this time through the International Building Code (IBC), have the ability to collect an investigation fee for failure to obtain a building permit. City Attorney John Frederickson stated the commission could consider a civil or criminal penalty.

According to Chairman Speirs, Mr. McKillip and Ms. Reiman recently completed the major renovation of another property and obtained the necessary permits prior to doing so. In this instance, the property owners felt were making a minor change that did not require a building permit.

Mr. Kuchenbecker directed a question to Mr. Frederickson regarding the possibility of adopting a city ordinance that would allow an investigation fee similar to that in the UBC. Prior to further discussion of that matter, Mayor Toscana called it irrelevant to the issue before the commission at this time. It was moved by Mr. Derosier, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the Application for Project Approval for replacement of the front door at 124 Charles Street, a non-contributing structure located in the Cleveland Historic Overlay Zone in the City of Deadwood, as proposed by Sally Reiman and Malcolm McKillip, the applicants and property owners, as presented.

126 Charles Street – Front Doors – Sally Reiman:

The commission referred to the following staff report:

STAFF REPORT

Case No. 07033
Address: 126 Charles Street

Date: May 4, 2007

The applicant has submitted an application for Project Approval for replacement of front door at 126 Charles Street a non-contributing structure located in the Cleveland Historic Overlay Zone in the City of Deadwood.

*Applicant: Sally Reiman and Malcolm McKillip
Owner: same
Constructed: circa 1895*

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

1. Historic significance of the resource: *This house has recently sustained several alterations including metal siding and numerous replacement windows. Because of these alterations, the house has lost integrity and cannot contribute to the Deadwood National Historic Landmark District at this time. However, the 1993 survey indicates the structure could be eligible in the future.*

2. Architectural design of the resource and proposed alterations: *The applicant has replaced the original, highly ornate, wood door with a steel half glass door with raised panels. The work was completed without a building permit or Project Approval.*

Attachments: *Yes*

Plans: *No*

Photos: *Yes*

Recommended Decision: *The proposed work and changes has had an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District. The original door should be restored and replaced.*

Malcolm McKillip referred the commission to the photographs of the existing residential structure, the original front door which is "partially held together with duct tape", and the replacement door recently installed. Mr. McKillip reported having recently spoken to the original owner of the home who indicated the highly ornate wood door was initially located on the front of the house and later moved to the porch on the side of the home.

Prior to selecting a replacement door, Mr. McKillip canvassed the area and stated "almost every door out there was a metal door with windows". Ms. Oberlander feels the replacement door "is almost overpowering and looks out of place". Chairman Speirs described the original door as "spectacular" and could be restored. It was moved by Mr. Derosier and seconded by Mr. Olsen to adopt a resolution to approve the Application for Project Approval for replacement of the front door at 126 Charles Street, a non-contributing structure located in the Cleveland Historic Overlay Zone in the City of Deadwood, as proposed by Sally Reiman and Malcolm McKillip, the applicants and property owners, as presented. Upon roll call vote being taken thereon, the motion failed due to a tie with the following commissioners voting AYE: Steinlicht; Olsen and Derosier; and the following commissioners voting NO: Oberlander; Speirs and Olson.

Mr. McKillip stated that "obviously, the door we took off needs a lot of work". Chairman Speirs suggested the property owners meet with Mr. Kuchenbecker to identify a solution. Mr. Kuchenbecker suggested the options of allowing the existing door that was installed without Project Approval until the original door can be restored and replaced; or, come forward with an application for a new door that mimics the original door. It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to grant temporary use of the door installed without prior Project Approval at 126 Charles Street, a non-contributing structure located in the Cleveland Historic Overlay Zone in the City of Deadwood, and direct the property owners to meet with Mr. Kuchenbecker come up with a solution, reporting back to the commission within thirty (30) days.

12 Washington Street – Railing – Janice Heffron:

The commission referred to the following staff report:

Case No. 07034
Address: 12 Washington Street

Date: May 4, 2007

STAFF REPORT

The applicant has submitted an application for Project Approval for roofing and windows at 12 Washington Street a contributing structure located in the Ingleside Historic Overlay Zone in the City of Deadwood.

Applicant: Janice Heffron
Owner: same
Constructed: circa 1895

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

General Factors:

1. Historic significance of the resource: This building is a contributing resource in the Deadwood National Historic Landmark District. This is an early Deadwood house which was remodeled during the pre-World War II years; consequently, it has historic associations with both Deadwood's nineteenth-century mining boom and the region's mining revival of the late 1920s and 1930s. This house displays architectural elements which were popular during the latter period. In Deadwood, as elsewhere in the United States,

residential remodels commonly borrowed from the then popular Craftsman Style. Other remodels copy traditional forms seen in the "Picturesque Revival" styles.

2. Architectural design of the resource and proposed alterations: The applicant has rebuilt the steps and railing as previously existing. Applicant will paint white again. Applicant desires approval to add white lattice around parking area.

Attachments: Yes

Plans: No

Photos: Yes

Recommended Decision: The building code requires guards on surfaces located more than 30" above grade which do not allow passage of a sphere more than 4" in diameter or more; therefore, a guard is required. The proposed work will not have an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information included in the staff report. The applicant is seeking Project Approval to install white lattice around a railing installed to secure a parking area and along the stairway at the rear of the structure located at 12 Washington Street. Mr. Kuchenbecker stated white lattice was previously installed against a retaining wall and is not visible from the street.

Chairman Speirs spoke against the installation of white lattice on a contributing structure. Mr. Kuchenbecker concurred and reported having spoken with Ms. Heffron regarding options for vertical railing that would comply with code. He said the commission could deny the application and he will work with the property owner to come forth with another design. Mr. Olson also spoke against the proposed installation of lattice and feels a railing with spindles would be more aesthetically pleasing. It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to deny the Application for Project Approval for lattice work on the railing around the rear portion of the structure at 12 Washington Street, a contributing structure located in the Ingleside Historic Overlay Zone in the City of Deadwood, as proposed by Janice Heffron, the applicant and property owner, as presented.

OLD BUSINESS:

558 Main Street – Retaining Wall – DWD, Inc.

It was moved by Mr. Olsen and seconded by Mr. Steinlicht to continue discussion pertaining to the retaining wall at 558 Main Street. Mr. Kuchenbecker reported having recently spoken with the property owner who expects the report from the engineer soon. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

90 Charles Street – Taco Johns – Lori Collins

A memorandum from Historic Preservation Officer Kevin Kuchenbecker dated May 9, 2007 was distributed to the commission.

Lori Collins, owner of Taco Johns, came before the commission at this time. Ms. Collins stated the existing building was constructed in 1980 and the existing roof is the original roof. She said the majority of the commercial buildings in town have a flat roof. Being in the restaurant business, she is required to have two exhaust fans. She feels the existing flat roof is more conducive to accommodating the major exhaust units and the mechanical units associated with the HVAC system. She is planning to begin the proposed remodel project in September, following the summer tourist season.

Mr. Olson referred to the rendering which was provided by Taco Johns corporate headquarters. Mr. Olson suggested perhaps the corporate office has the resources to hire an architect to create a design that would be appropriate in an historic district. Chairman Speirs stated that other existing business owners have not been successful in securing financial assistance from corporate headquarters to comply with our design standards.

Mr. Kuchenbecker stated at the time the building was constructed, there was not a review process.

Chairman Speirs called upon Mr. Kuchenbecker to elaborate on a publication which he photocopied and distributed to the commission at a previous meeting regarding commercial businesses in historic districts. Mr. Kuchenbecker stated the article featured new construction and historic rehabs completed throughout the country and provided examples of fast food or corporate-types of entities that have fit into or complimented the historic districts.

Mr. Derosier feels the proposed changes are an improvement over the existing building, however, he admitted he has not attended the last couple meetings.

City Attorney John Frederickson requested clarification of the matter before the commission. He asked whether Ms. Collins has explored the engineering/design/construction alternatives. Based on her preliminary discussions with a contractor, Ms. Collins is concerned about the costs associated with the project. As a business owner, Mr. Derosier was sympathetic to the situation and feels "we need to be supportive". In his opinion, the Taco Johns in other communities "look ok". Chairman Speirs referred to the BP's and Pizza Hut in Deadwood. Mayor Toscana said "this structure has been there prior to all of these requirements. Lori doesn't have to do anything...she can leave it like it is". Mr. Olson explained that the commission merely suggested that a pitched roof might be more of a fit in the residential neighborhood. Chairman Speirs stated the building is located outside the historic core. Mr. Olsen stated he had not considered the existing exhaust system for the restaurant when the pitched roof was suggested. However, he feels the exterior of the Deadwood Taco John's does not need to be a carbon copy of the Taco John's located on a strip of fast food chains in Rapid City. Mr. Derosier stated we need to be pro-business to some degree and make it economically feasible for her to improve her building.

Mr. Kuchenbecker suggested Ms. Collins have corporate headquarters "Photoshop@ this" into a photograph of the neighborhood. He feels perhaps some of the issues can be resolved through a conference call.

It was moved by Mr. Olson, seconded by Mr. Olsen, and carried unanimously to continue the discussion for Taco Johns, 90 Charles Street, until the meeting on May 23, 2007.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Krystal Stulken, Funds Manager for Neighborhood Housing Services (NHS), presented the following information to the commission.

107 Forest Avenue – Life Safety – Lori Keehn and Marty Nelson:

It was moved by Mr. Derosier, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve Life Safety loan financing for Lori Keehn and Marty Nelson, 107 Forest Avenue, and loan funding in the principal amount of \$3,300.00 at an interest rate of zero percent (0%) per annum, as presented.

Revolving Loan Disbursements:

In response to a question by Mr. Olson, Ms. Stulken reported the contractor at 39 Van Buren is very close to completing the work. It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Historic Preservation Revolving Loan Fund Cash Disbursements Journal totaling \$4,850.61 to the following: Lyons Construction, \$2,150.61 and Michael Conover Construction, \$2,700.00, as presented.

Retaining Wall Disbursements:

Mr. Kuchenbecker responded to a question by Mr. Derosier by confirming that he and Building Official Keith Umentum have been on the site of this retaining wall at 38 Denver Street. It was moved by Mr. Derosier, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the historic preservation retaining wall disbursements totaling \$9,341.60 to the following: Lehmen Construction.

ITEMS FROM CITIZENS NOT ON AGENDA:

A representative of the Opera House Board presented a poster and informational brochures pertaining to the Homestake Opera House 2007 Summer Series.

COMMITTEE ACTIONS AND REPORTS:

Advocacy: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht
No report – no action needed.

Archeology: Commission representatives: Darin Derosier (chair), Mike Olsen and Willie Steinlicht
Notes to be sent - no action needed.

Archives: Commission representatives: Mike Olsen (chair) and Steve Olson
Notes to be sent - no action needed.

Budget: Commission representatives: Ronda Feterl (chair) and Mike Olsen
In the absence of Ms. Feterl, Mr. Kuchenbecker referred the commission to the financial report. No action needed.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Rose Speirs
Notes from the Cemetery Committee meeting conducted on May 1, 2007 were distributed by Mr. Kuchenbecker.

Handicap parking and improvements to street signage at Mt. Moriah were discussed.

Mr. Kuchenbecker reported that the city is encumbering costs associated with the recovery of the skeletal remains discovered during the reconstruction of the retaining wall located at 66 Taylor Avenue. The South Dakota State Archaeological Center (SD-SARC) exhumed the remains as required per South Dakota State Law. SD-SARC is recommending the City of Deadwood allow further investigation of the skeletal remains by sending them to Ms. Susan Myster of Hamlin University in Minnesota for a complete examination. This investigation will determine approximate age, sex, ancestry or heritage, dentition, pathological conditions, cultural skeletal markers (reconstructs occupation) and genetic markers (DNA bone sample). It was moved by Mr. Olson, seconded by Ms. Oberlander and carried unanimously to authorize the SD-SARC to send the remains to Hamlin University for further testing with a total amount of the exhumation not to exceed \$7,500 (including the university's portion of the costs) from the 2007 archaeology line item.

An interpretation of the Chinese stone at Mt. Moriah cemetery was attached to the Cemetery Committee report.

It was moved by Mr. Olson, seconded by Mr. Steinlicht and carried with Ms. Oberlander abstaining to adopt a resolution to approve the recommendation of the Cemetery Committee for approval of four (4) Headstone Grants in Mt. Moriah cemetery for the following individuals: 1) Baby Girl Gross; 2) Valentine Otterbein; 3) Bernadine Otterbein; and, 4) Ngan Oi Wong.

Demolition by Neglect: Commission representatives: Mike Olsen (chair), Rose Speirs and Steve Olson
Mr. Olsen referred the commission to the revised draft of the Demolition by Neglect Ordinance. He hopes to have the ordinance considered formally by the commission at its meeting on May 23, 2007.

GIS: Commission representatives: Steve Olson (chair) and Mary Ann Oberlander
Notes from the GIS Committee meeting conducted on April 24, 2007 were distributed by Mr. Kuchenbecker.

GIS Coordinator Rob Mattox will make a presentation at a commission meeting in the near future.

Grants: Commission representatives: Mary Ann Oberlander (chair), Ronda Feterl and Willie Steinlicht
Notes from the Grants Committee meeting conducted on May 8, 2007 were distributed by Mr. Kuchenbecker. Ms. Oberlander provided an overview of the matters currently being discussed.

Homestake Archives: Commission representatives: Ronda Feterl (chair) and Mike Olsen
Adams House & Museum Executive Director Mary Kopco has contracted Mr. Kuchenbecker and requested a meeting of the Homestake Archives Committee; Mr. Kuchenbecker will coordinate that meeting.

Loans: Commission representatives: Willie Steinlicht (chair), Darin Derosier and Ronda Feterl
Notes to be sent. No action needed.

Policies and Procedures: Commission representatives: Rose Speirs (chair) plus entire HPC
Chairman Speirs reported that the committee will meet on May 17, 2007.

Signage: Commission representatives: Willie Steinlicht (chair), Darin Derosier and Rose Speirs
Mr. Steinlicht referred the commission to a memorandum from the Sign Committee and Mr. Kuchenbecker regarding the proposed sign ordinance changes regarding banners. The committee anticipates requesting action on this item at the commission meeting on May 23, 2007.

Recognition: Commission representatives: Mary Ann Oberlander (chair) and Ronda Feterl
Notes from the Recognition Committee meetings conducted on April 10th and May 8th, 2007 were distributed by Mr. Kuchenbecker. Ms. Oberlander provided an overview of the matters currently being discussed.

Representative to the Adams Museum: Commission representative: Rose Speirs
Chairman Speirs announced the Museum Board of Directors will meet Tuesday, May 22nd.

Representative to the Chamber: Commission representatives: Darin Derosier (chair) and Willie Steinlicht
Mr. Derosier attended a meeting of the Chamber of Commerce yesterday. The Adam's Museum is donating the clothing collection to the Days of '76 now that they will have the facilities to properly maintain the collection.

Representative to the Days of '76 Board: Commission representative: Steve Olson
Mr. Olson reported that utility relocation work will be complete next week; a cabin on the grounds was rehabilitated and furnished with clothing racks to serve as a storage area for the clothing collection the Adam's Museum is returning.

Representative to NHS: Commission representative: Willie Steinlicht
The next board meeting is scheduled for sometime in June.

Representative to Planning & Zoning: Commission representative: Mike Olsen
Nothing to report as there was no meeting.

Historic Preservation Staff:
Mr. Kuchenbecker apologized for the typographical errors in the staff reports.

He reported that the 5th Annual Deadwood Historic Preservation Symposium conducted April 27-29, 2007 went "very well". One of the presenters, Thad Turner was unable to attend. Jim McLaird conducted two (2) sessions in his absence. Jesse Hardin also presented two (2) sessions on the subjects of firearms of the west and violence in the west. An honorarium fee of \$500 per session plus expenses should be paid to each of those individuals. It was moved by Ms. Oberlander, seconded Mr. Olsen and carried unanimously to adopt a resolution authorizing staff to pay honorarium fees totaling \$1,000 plus expense to Jim McLaird and Jesse Hardin for their presentations at the Symposium.

Mr. Kuchenbecker reported that some slides occurred in the area due to the heavy rains last weekend. A retaining wall failed at 18 Denver and Mr. Kuchenbecker requested permission to include the engineering study for that wall as an addendum to the retaining wall project on the rear of the property which has previously been entered into the retaining wall grant program. It was moved by Mr. Olsen, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution authorizing staff to enter the retaining wall that failed on the front of the property located at 18 Denver as an addendum to the retaining wall project already approved for this property.

Mr. Kuchenbecker expressed appreciation to the volunteers and staff that provided assistance at the symposium.

OTHER BUSINESS:

None.

EXECUTIVE SESSION:

Chairman Speirs announced there would be an Executive Session following the meeting to discuss legal matters with no action to be taken thereafter.

ADJOURNMENT:

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Speirs adjourned the meeting at 6:25 p.m.

ATTEST:

Rose Speirs
Chairman, Historic Preservation Commission
Mary Burket, Recording Secretary