

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, August 12, 2009 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Darin Derosier
2. Approve Minutes
3. Voucher approval
4. Old or General Business
 - a. Cemetery Headstone Grant Application– Darleen Young
 - b. Case# 09052– 1 Railroad Avenue– Demolition/New Construction– John Bolan
 - c. Case# 09056– 44 Crescent Drive– Days of '76 Museum– Cam Lund
5. New Matters before the Deadwood Historic District Commission
 - a. Case# 09053– 65 Sherman Street– Deck, Staircase, Roofing– Daniel Gray
6. New matters before the Deadwood Historic Preservation Commission
 - a. Case# 09054– 144 Charles Street– Window and Door Work– Larry Hicks
 - b. Revolving Loan– Special Needs/Wood Windows– Larry Hicks
 - c. Case# 09055– 38 Van Buren– Window & Door Restoration/Installation– Gene Hunter
 - d. Revolving Loan– Special Needs/Wood Windows & Doors– Gene Hunter
 - e. Agreement with County to Provide GIS Services– Kevin Kuchenbecker
- Revolving Loan Fund/Retaining Wall Program Update.
 - a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
7. Items from Citizens not on agenda.
8. Committee Actions and Reports
9. Staff Report
10. Other business
11. Adjournment

Executive Session-Legal Matters

CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, August 12, 2009

Present Historic Preservation Commission: Darin Derosier, Mary Ann Oberlander, Mike Olsen, Steve Olson, Ronda Feterl, and Willie Steinlicht.

Late: Matt Pike arrived at 5:10 p.m.

Absent Historic Preservation Commission: Historic Preservation Officer, Kevin Kuchenbecker was on vacation.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Darin Derosier called the Deadwood Historic Preservation Commission meeting to order on Wednesday, August 12, 2009 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the minutes from Wednesday, July 22, 2009. Aye – Steinlicht, Derosier, M. Olsen, Oberlander. Abstain – Feterl, S. Olson. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the HP Operating Account in the amount of \$57,976.79 Aye - All. Motion carried.

Bonded Account:

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the HP Bonded Account in the amount of \$44,911.97. Aye- All. Motion carried.

OLD OR GENERAL BUSINESS

Cemetery Headstone Grant Application– Darleen Young

Mr. Derosier read Mr. Runge's Memorandum regarding Headstone Grant Application Request #0808. Mr. Derosier stated that on September 17, 2008, Darleen Young of Spearfish, SD submitted a headstone grant application for Kittie Maud Blanche Forest. He explained that Kittie Forest is buried in the

Carbonate Cemetery and that Ms. Young would like to place a memorial stone in the Forest family cemetery plot at Mt. Moriah Cemetery through the grant program.

Ms. Feterl questioned if the request qualified for the grant program. She stated that she believed that the program was intended to help individuals repair or replace headstones of the deceased who are currently buried in Mount Moriah Cemetery. Mr. Derosier stated that if there is not currently a headstone for the deceased, family members can request a grant to get a headstone placed in the Cemetery. Mr. Derosier stated that he believed up to \$400 could be requested for a headstone. Mr. S. Olson stated that this was correct a person could request up to \$400 to place a headstone in the Cemetery for a deceased relative. (Staff Note: Applicants may receive up to \$450 dollars for a headstone through the grant program.)

Mr. Steinlicht questioned why a family member would want to place a headstone in the Cemetery if the deceased relative is not buried in the Cemetery. Mr. M. Olsen stated that Ms. Forest's parents are buried in the Forest Plot in Mount Moriah Cemetery. Mr. M. Olsen stated that the girl's family is requesting a headstone that would say that she is buried in Carbonate Cemetery. Mr. M. Olsen explained that this would inform visitors to her parents' graves of her resting place. Mr. M. Olsen stated that he did not have a problem with the grant request. Mr. S. Olson stated that he did not have a problem with a headstone being placed in the Cemetery but that he did have a problem with extending grant funds for the headstone. Mr. M. Olsen reiterated that he did not have a problem with the request.

Ms. Feterl once again questioned if this type of request fit the program's guidelines. Ms. Oberlander stated that she did believe that grant requests, such as this one, had been awarded in the past and would meet the guidelines of the program.

Mr. M. Olsen asked if the grant request had gone through the Cemetery Committee. Ms. Oberlander and Mr. S. Olson stated that it had not. Mr. M. Olsen asked the Commission if they would like to continue the request until the next regularly scheduled meeting so the Cemetery Committee could review the application and determine if it fit the program's guidelines. Ms. Feterl asked if the Cemetery Committee had already had a meeting in August. Ms. Oberlander stated that they had not. Mr. M. Olsen stated that he was asking if they should schedule one to go over the application. Mr. S. Olson stated that he believed that they should schedule a meeting for the following week. Ms. Feterl agreed that this was a good idea.

It was moved by Mr. S. Olson and seconded by Ms. Feterl to continue the Cemetery Headstone Grant Application Request for Kittie Maud Blanche Forest, #0808, to August 26, 2009.

Mr. Steinlicht asked if they would do a phone vote the following week after the Cemetery Committee met on the request. Mr. Derosier said no. He stated that the request would be continued until the next regularly scheduled meeting which would take place in two weeks.

Aye– All. Motion carried.

Case# 09052– 1 Railroad Avenue- Demolition/New Construction- John Bolan

Mr. Derosier explained that Case# 09052 had been continued, as advised by legal council, until August 26, 2009 to allow the State Historical Society time to provide its 11.1 review and commentary. He stated that he had spoken with John Bolan's general contractor, Jimmy Mattson. Mr. Derosier stated that Mr. Mattson had stated that he would contact the applicant and explain the situation to him.

It was moved by Mr. M. Olsen and seconded by Ms. Oberlander to continue Case# 09052 until the next regularly scheduled Historic Preservation Commission Meeting, August 26, 2009.

Mr. Steinlicht stated that Mr. Kuchenbecker should talk with the State the following week in order to get their comments and review. He suggested that the Committee then hold a phone vote so as not to hold up the applicant any further. Mr. M. Olsen stated that if this would be possible that he would be for expediting the process. Mr. Derosier agreed but noted that when he had spoken with Mr. Mattson he had agreed to the continuation of the project.

Aye– All. Motion carried. (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

Case# 09056– 44 Crescent Drive- Days of '76 Museum- Cam Lund

Mr. Derosier introduced Cam Lund, from Lund Associates, and explained that he would be giving a presentation on the proposed plans for the Days of '76 Museum.

Mr. Lund explained that his presentation would be very similar to that given three weeks earlier. He noted that no significant changes had been made since then; however, he would run through his presentation again for the benefit of those that had missed the previous meeting.

Mr. Lund stated that he was proposing to retire and demolish the existing Days of '76 Museum and construct a two-story museum in the same location. Mr. Lund stated that the main body of the museum would be constructed out of corten steel. Mr. Lund showed an example of the corten steel and explained that, by dumb luck, part of the sample had been exposed to the elements and the other part had been shielded by his covered deck. He pointed out that the sample had gained a lot of color in only a few weeks. Mr. Lund stated that on the front entryway, which is located on the same side as the football field, they are looking at placing some large striped down timbers, approximately 30 inches in diameter, on the posts and then placing some rough sawn glulam beams that will carry through into the interior of the building. Mr. Lund explained that on the South, East and North side of the building a dark brown cement board with a wood grain look would be used to give the Museum an old west feel while still referencing the old mining structures that were once located on the land. Mr. Lund explained that all of the materials selected would be essentially maintenance free for 40-70 years. Mr. Lund also noted that concrete shingles would be used.

Mr. Feterl asked if the siding would have to be painted. Mr. Lund said that it would not as it comes prefinished. He noted that it has a 30 year warranty and will often only need to be refinished when the 30 years are up.

Mr. Lund stated that there would be a handicap ramp that would have a short stone area that would mimic the stone on the football field. He also noted that some existing horse stalls would remain.

Mr. Lund stated that the Days of '76 video had been redone to properly display the scale of the hillside per Mr. Pike's request. Mr. Pike thanked Mr. Lund for redoing the video.

Ms. Feterl asked how the current façade would compare with the proposed structure. Mr. Lund stated that the facades would be quite a bit higher than the Museum itself. Ms. Feterl asked how the length would compare. Mr. Lund stated that the footprints would remain virtually the same.

Mr. Pike commented on the detail in the video and again thanked Mr. Lund for redoing the scale of the hillside.

Mr. Pike explained that the Sanborn Insurance Maps were not included because there were no maps available. He wanted to clarify that the maps had not been excluded due to an oversight.

Mr. M. Olsen asked if Mr. Lund had thought about lighting and climate control at all. Mr. Lund asked if he was referring to interior or exterior lighting. Mr. M. Olsen said he was talking about the interior plans and noted that other museums have been able to hold down energy costs through innovations in lighting and climate control. Mr. Lund stated that they would consider such innovations and noted that they are working with two specialists to design the interior.

Ms. Feterl asked where the salvaged storefronts and bricks, which were mentioned in the staff report, would be used. Mr. Lund explained that the bricks may be used in the lower level, under some of the stored carriages, and also possibly in the Clouser collection. Mr. Lund stated that he was unsure where the storefronts would be used. Ms. Deborah Gangloff, stated that the storefronts would also be used in the lower level.

Ms. Feterl asked if two motions would be needed. Mr. Derosier stated that he believed that they did need two motions for the project.

It was moved by Mr. Steinlicht and seconded by Mr. Pike that based upon all the evidence presented the finding is that this project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places and therefore move to grant a project approval to Case# 09056.

Ms. Feterl asked if two motions would be needed, one for the retirement and one for the project approval. Mr. Derosier stated they did need two motions and that the motion on the table was for the project approval.

Aye— Steinlicht, M. Olsen, Derosier, Feterl, Oberlander, and Pike. Mr. S. Olsen recused himself.. Motion carried. (The staff report is attached hereto on Exhibit B and incorporated herein by this reference).

It was moved by Ms. Feterl and seconded by Ms. Oberlander that based upon all the evidence presented the finding is that this project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places and therefore move to grant project approval for the retirement of the existing pole-barn style museum at 44 crescent drive Case# 09053. Aye— Steinlicht, M. Olsen, Derosier, Feterl, Oberlander, and Pike. Mr. S. Olsen recused himself. Motion carried. (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

Mr. S. Olson expressed his thanks to the Days of '76 Museum Board. Mr. Derosier also thanked the board for their work with the City and Mr. Kuchenbecker.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

Case# 09053– 65 Sherman Street– Deck, Staircase, Roofing- Daniel Gray

Mr. Derosier stated that Daniel Gray was seeking a Certificate of Appropriateness for work to be done at 65 Sherman Street. Mr. Derosier provided a brief history of the building. Mr. Daniel Gray was present to answer questions.

Mr. Pike asked if an existing staircase would be removed. Mr. Gray stated that, since he had owned the property, the staircase never existed; however, the second story doorway was there. He stated that he was trying to use the upstairs rooms and was told by the inspector that he would need an upstairs fire escape. Mr. Pike asked if the second part of his request was to construct a slightly larger deck, to accommodate the staircase, as well as roof the garage deck. Mr. Gray stated that the deck would need to be constructed so he could utilize both sides of his existing structure, which are currently separated by a roof. He stated that the deck would only come out 12 feet and would cross the roof to the staircase. Mr. Gray stated that rather than how his diagram, which was included in the package, displayed the staircase, all of the stairs would go down. There would be no switchbacks. Mr. Gray noted that the deck in the parking lot would simply support the bottom of the staircase so a small fence could be added to block off the staircase as an added safety precaution.

Mr. S. Olson asked if the deck had a parapet around the edge. Mr. Gray said yes. He said that there is currently a little balcony right on top of the parapet and noted that the new deck would be level with the parapet. Mr. S. Olson asked if the whole deck would be at or below the parapet. Mr. Gray stated that his goal would be to have it right at the parapet, to avoid a tripping edge, and stated that it definitely would not be higher than the parapet. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen that based upon all evidence presented the finding is that the proposed work and changes do not encroach upon, damage, or destroy a historic resource nor do they have an adverse affect on the character of the building or the historic character of the local historic district, the State and National Historic Register Districts or the Deadwood National Historic Landmark District and therefore move to grant a Certificate of Appropriateness to Case# 09053. Aye– All. Motion carried.* (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

Case# 09054– 144 Charles Street– Window and Door Work– Larry Hicks

Mr. Derosier explained that the applicant is requesting project approval for window and door repair and replacement at 144 Charles Street a contributing resource in the Deadwood National Historic Landmark District. Mr. Derosier noted that the building was significant for its historic association with the founding and initial period of growth of the town of Deadwood. He stated that it was staff's opinion that the proposed work and changes do not encroach upon, damage, or destroy a historic resource nor does it have an adverse affect on the character of the building or the historic character of the State and National Historic Register Districts or the Deadwood National Historic Landmark District. Mr. Derosier also

noted that the property used to be pink but had recently been repainted and that it looks very nice. Ms. Oberlander stated that the house does look very nice. ***It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht that based upon all the evidence presented the finding is that this project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places, and therefore move to grant a project approval to Case# 09054. Aye- All. Motion carried.*** (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

Revolving Loan- Special Needs/Wood Windows- Larry Hicks

Mr. Derosier stated that Larry Hicks was applying for the Wood Window Program for 144 Charles Street. He explained that it was staff's recommendation to place 144 Charles Street into the Special Needs/Wood Window Program. ***It was moved by Mr. M. Olsen and seconded by Mr. Pike to place 144 Charles Street into the Special Needs/Wood Window Program. Aye- All. Motion carried.***

Ms. Feterl commented to Ms. Joy McCracken that she thinks it is wonderful that people are using the Revolving Loan/Special Needs Wood Window Program. Mr. Derosier added that he had also seen his neighbors utilizing the program and reiterated that the program is very beneficial and is helping a lot of people.

Case# 09055- 38 Van Buren- Window & Door Restoration/Installation- Gene Hunter

Mr. Derosier explained that the applicant was seeking project approval for window and door restoration/installation at 38 Van Buren. He stated that the building is a contributing resource in the Deadwood National Historic Landmark District and that it is significant for its historic association with the founding and initial period of growth of the town of Deadwood. He explained that the applicant was requesting permission to repair existing wood windows and install new wood storm windows at 144 Charles Street. He noted that the applicant also requested permission to replace an existing aluminum storm door with a new wooden storm door. Mr. Derosier explained that it was staff's opinion that the proposed work and changes do not encroach upon, damage, or destroy a historic resource nor do they have an adverse affect on the character of the building or the historic character of the State and National Historic Register Districts or the Deadwood National Historic Landmark District. ***It was moved by Mr. Pike and seconded by Mr. M. Olsen that based upon all the evidence presented the finding is that the project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places and therefore move to grant a project approval to Case# 09055. Aye- All. Motion carried.*** (The staff report is attached hereto on Exhibit E and incorporated herein by this reference.)

Revolving Loan- Special Needs /Wood Windows & Doors- Gene Hunter

It was moved by Mr. Pike and seconded by Mr. S. Olson to place 38 Van Buren into the Special Needs/Wood Windows and Doors Program. Aye-All. Motion carried.

Agreement with County to Provide GIS Services- Kevin Kuchenbecker

Mr. Derosier read Mr. Kuchenbecker's Memorandum. It was stated in the Memorandum that the Historic Preservation Staff was requesting permission to enter into a MOU for GIS services in an amount not to exceed \$7,290.00 or approximately 15 hours per week for the remainder of the calendar year at \$27.00 per hour beginning September 1, 2009.

Ms. Feterl asked Mayor Toscana if the motion being made was a recommendation to the City Commission. Mayor Toscana stated that it would be a recommendation. ***It was moved by Ms. Feterl and seconded by Mr. M. Olsen to recommend to the Deadwood City Commission to enter into a MOU for GIS Services in an amount not to exceed \$7,290.00 or approximately 15 hours per week for the remainder of the calendar year. Aye– All. Motion carried.***

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Revolving Loan Disbursements

None.

Ms. McCracken reviewed and explained the delinquency list.

Loan Request– 629 Main Street– Celebrity Hotel

Ms. McCracken explained that Robert and Don Nelson, who are doing business as dba Deals Publications, were seeking to refinance their loan. Ms. McCracken noted that the original loan was in the amount of \$60,000 for the replacement of a roof and the removal of a cabin structure on site. She stated that the original loan was down to \$47,923. She stated that the applicants would like to refinance at a rate of 6%, 12 year amortization 7 year balloon. Ms. McCracken noted that the Commission was in the second position for the loan and that the applicants have an excellent payment history and that their debt to service ratio is 2.3%. ***It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to grant the loan to Robert and Don Nelson doing business as Deals Publications at 629 Main Street in the amount of \$47,923 at 6% interest. Aye– All. Motion Carried.***

Loan Request– 31 Taylor Avenue– Carmen Walton

Ms. McCracken explained that Carmen Walton was requesting \$2,457 at 5% interest for her portion of the retaining wall located at 31 Taylor Avenue. Ms. McCracken noted that there is a security assignment on the contract for deed and that Ms. Walton has an excellent payment history with the Commission and good ratios. Ms. McCracken noted that Ms. Walton had received an excellent loan evaluation. ***It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the loan to Carmen Walton, 31 Taylor Avenue, in the amount of \$2,457 at 5% interest. Aye– All. Motion carried.***

Ms. McCracken stated that she had been a little late getting to the meeting because she was with Carrie Johnson from Senator Johnson’s D.C. office. Ms. McCracken noted that she had taken Ms. Johnson on a tour of the city and explained its various programs and Historic Preservation’s role in all of the programs and preservation. She noted that she and Ms. Johnson had discussed the need for guidelines to ensure that historic properties are restored properly to the interior standards. Ms. McCracken stated that Ms. Johnson had applauded the Historic Preservation Commission and all of their good work.

ITEMS FROM CITIZENS NOT ON AGENDA:

Committee Actions and Reports:

Mr. Pike reported that everyone should have received postcards for the 20th Anniversary of Gaming and that the next meeting would be held on Wednesday, August 19 at 11:00 a.m. He noted that all were welcome to attend.

Mr. Steinlicht stated that Leola Hicks from Buffalo Gap, who received a \$10,000 grant for work on their Community Hall, had called him and told him that all of the Historic Preservation Commission had been invited to a 4:00 p.m. luncheon that would be held in the Historic Preservation Commission's honor.

Archeology, Archives, Acquisitions: Commission representatives: Mike Olsen, Steve Olson, and Darin Derosier.

Per Mr. M. Olsen's request, the Committee decided to meet on Wednesday, August 19 at 8:00 a.m.

Budget: Commission representatives: Ronda Feterl, Darin Derosier and Matt Pike.
No report.

Cemetery: Commission representatives: Steve Olson, Mary Ann Oberlander, and Mike Olsen
Per Mr. S. Olson's request, the Cemetery Committee decided to meet August 18 at 4:00 p.m. Mr. S. Olson asked if Virginia Peterson, administrative assistant, would send out a reminder email. Ms. Peterson said that she would.

GIS: Commission representatives: Steve Olson, Mary Ann Oberlander, and Mike Olsen
No report.

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl, Matt Pike, and Mary Ann Oberlander.

Ms. Feterl requested that the Committee meet on Tuesday, August 25 at 4:00 p.m.

Loans: Commission representatives: Ronda Feterl, Willie Steinlicht, and Darin Derosier
No report.

Adams Museum: Commissioner Mary Ann Oberlander.
No report.

Chamber of Commerce: Commissioners Willie Steinlicht, and Darin Derosier.
Mr. Steinlicht stated that the next meeting would be held on August 25.

Days of '76: Commissioner Steve Olson.
Mr. S. Olson explained that someone else would need to be appointed to sit on the Days of '76 Board as he was now employed by the Days. Mr. M. Olsen agreed to take over the position.

Neighborhood Housing Services: Commissioner Willie Steinlicht.
No report.

Planning and Zoning: Commissioner Mike Olsen.
No Report.

Demolition By Neglect: Commissioner Matthew Pike, Steve Olson and Mike Olsen.
No report.

Policies and Procedures: Commission representatives: Matthew Pike plus entire HPC

Per Mr. Pike's request, the Committee decided to hold a Polices and Procedures Meeting on September 2, 2009 at 4:15 p.m. Mr. Derosier asked Mr. Pike to send out an email reminder for the meeting. Mr. Pike said that he would do so.

Mr. Derosier noted that packets had contained PLT booklets. Mr. Derosier noted that the participants had been very appreciative to Deadwood and its residents.

Mr. Derosier also read a letter from Kris Bartell on behalf of the Michelson family thanking the Commission for the headstone grants that their grandfather/great grandfather and his son had received.

The Commission discussed the State's ability to provide commentary and review on projects which was spurred on by the continuation of Case# 09052.

Historic Preservation Staff:

No report.

OTHER BUSINESS:

ADJOURNMENT:

Hearing no further business to come before the Commission at this time and no objections from the Commission or the audience, Chairman Derosier adjourned the meeting at 5:57 pm.

ATTEST:

Darin Derosier
Chairman, Historic Preservation Commission
Virginia Peterson, Acting Recording Secretary