CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Tuesday, November 21, 2006

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

Absent Historic Preservation Commission: Darin Derosier.

A quorum being present, Chairman Rose Speirs called the Deadwood Historic Preservation Commission meeting to order on Tuesday, November 21, 2006 at 4:15 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

At this time, Historic Preservation Officer Kevin Kuchenbecker introduced Monica Job, a freshman at Lead-Deadwood High School and a participant in the Youth-Wise Program, a newly implemented program within the school to encourage youth involvement in the community. Ms. Job is currently spending time observing in the Planning and Zoning and Historic Preservation Departments.

Review Minutes – November 8, 2006:
Mr. Olsen noted a typographically error on page four (4) and recommended it be corrected as follows:

> *Mr. Olson amended the motion with the concurrence of Mr. ~~Olson~~ Olsen to adopt a resolution to continue the Sign Permit Application for modifications to the existing sign at the Cedar Wood Inn located at 103 Charles Street to the next meeting, and to allow the advertising listed on the third line of the existing sign as shown in the attached photograph to remain on the existing backboard with the stipulation that the property owner meet with the Historic Preservation Officer to consider an alternative to be presented at the meeting on November 21, 2006.*

It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, November 8, 2006 with the aforementioned correction.

Additions, Deletions, and Corrections to the Agenda:
It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to approve the following addition to the agenda under New Matters before the Deadwood Sign Commission:

c. A.G. Trucano Company, 155 Sherman Street, Awnings (3 signs).

It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to approve the following addition to the agenda under New Matters before the Deadwood Historic Preservation Commission:

g. Masonic Temple, 715 Main Street, Grant Request.

Voucher Approval:

Operating Account:
It was moved by Mr. Steinlicht, seconded by Mr. Olsen and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of $61,197.95.

Bonded Account:
None.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

388 Main – Deadwood Cottages – Wayne Morris
The commission referred to the staff report provided by Building Inspector Keith Umenthum.

Mr. Umenthum feels the proposed signage is proper. The square footage of the signage complies with the ordinance for free standing signs, however, Mr. Umenthum stated the existing sign ordinance does not specifically address signs made of natural material, such as those proposed by Mr. Morris, with the word "Welcome" etched in stone. Mr. Morris' property, located at 388 Main Street, is within the commercial district. Mr. Olsen questioned whether the stone would lay flat or be placed in an upright position. Ms. Feterl questioned how the proposed signage and bench would be situated on the property. Mr. Umenthum was uncertain of the exact location. Historic Preservation Officer Kevin Kuchenbecker recommended continuation. It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to continue the Sign Permit Application for a "Welcome" sign etched in stone at Deadwood Cottages, 388 Main Street, pending additional information on the verbiage for the sign and the specific location of the bench on the property.

Chairman Speirs directed a request to Mr. Umenthum regarding his staff reports. In the future, she would like more specific documentation with regard to the size and dimensions of the proposed signage detailed in his staff reports.

Recommendation to City Commission for Sign Ordinance Changes for Banners
Historic Preservation Officer Kevin Kuchenbecker reported that the proposed revisions to the sign ordinance regarding banners is not in the form of an ordinance at this time. Also, one of the commissioners has commented on the proposed revisions, and those comments need to be incorporated. It was moved by Ms. Feterl and seconded by Mr. Olson to continue the proposed changes to the City of Deadwood sign ordinance for banners as recommended by the Historic Preservation Commission Signage Committee, pending receipt of documentation in the form of a revised ordinance from legal counsel. Chairman Speirs stated the Signage Subcommittee is meeting tomorrow and requested that the comments from one of the commissioners be discussed at that time. She encouraged the commission to communicate any other comments or suggestions regarding the revised ordinance to Mr. Kuchenbecker prior to that meeting. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

A.G. Trucano Company, 155 Sherman Street, Awning Signs (3)
The commission referred to the staff report provided by Building Inspector Keith Umenthum.

Mike Trucano explained that he has replaced three (3) awning flaps at 155 Sherman Street and apologized for proceeding to do so without prior approval. The awning flaps that advertised "Dakota Deuces Sports Bar & Grill" have been replaced with flaps that read the name of his company, "A.G. Trucano, Son and Grandsons". The awning flaps are made of like material which is white cloth with red lettering. It was moved by Mr. Olsen and seconded by Ms. Oberlander to adopt a resolution to approve the Sign Permit Application for replacement of three (3) awning flaps for A.G. Trucano Company located at 155 Sherman Street. Ms. Feterl had a procedural question regarding her participating in the vote on the matter. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Mr. Trucano requested permission to paint over the portion of the building currently painted yellow, with paint to match the color of the rest of the building. Historic Preservation Officer Kevin Kuchenbecker stated the painting project does not require commission approval. Several members of the commission were supportive of Mr. Trucano's plan to remove the yellow paint. Mr. Olson also commented on the cables which currently dangle from the frame of an old sign. He is concerned that the awning may be damaged by those unsecured cables. Mr. Trucano intends to remove them.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

52 Lincoln – Remove side and replace front windows – Tim Conrad

The commission referred to the following staff report:

DEADWOOD

The Historic City of the Black Hills

STAFF REPORT 11/17/20

Case # 06118
Site # LA-DW -DW-IN-00062

Project Address: 52 Lincoln
Deadwood, SD 57732

Proposed Alterations: The applicant proposes to remove modern style casement window on side of enclosed porch and fill with cedar lap siding to match reveal. Applicant also proposed to replace modern casement window with double-hung wood window on the front of the enclosed porch to match existing double hung windows.

Owner's Name: TIMOTHY J CONRAD
52 LINCOLN
DEADWOOD SD 57732

Applicant Name: Tim Conrad
52 Lincoln Avenue
Deadwood, SD 57732

Historic Neighborhood: Ingleside
Historic Contribution: Yes

Construction Date: circa 1885
Architecture Style: Folk Victorian
Historic Name: n/a

Historic Significance:
This building is a contributing resource in the Deadwood National Historic Landmark District. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood. Spurred by the tremendous mining boom of 1876, Deadwood grew quickly and became the first major urban center of western South Dakota. Deadwood's economic prominence during the late 1800s and early 1900s was reflected by the construction of a number of large residences such as this one. These houses displayed a variety of architectural styles: Queen Anne, Second Empire, Colonial,and even Gothic variants are found locally. Together, these houses are among the strongest reminders of Deadwood's nineteenth-century boom.

Miscellaneous History: This house appears in a circa 1888-1890 photograph of the Ingleside Neighborhood and is depicted as a one-story dwelling with a prominent bay window at the front and right gable ends. Sanborn maps sh

Historic Notes:

Staff Recommendation: The proposed work and changes will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Tim Conrad described the window replacement project he proposes to complete on the later addition to his home. He plans to eliminate the window on the side of the addition and fill the opening with cedar lap siding and to replace the small square window on the front of the addition with a wooden window to match the existing on the original home. Mr. Conrad plans to complete the project in the Spring and was informed by Mr. Olson that project approval is valid for one year. It was moved by Mr. Olson, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the Application for Project Approval for the following: 1) to remove the west-facing window on the side of the addition and fill with cedar lap siding to match the reveal; and 2) to replace the modern casement window on the front of the addition with a double hung wooden window to match existing at 52 Lincoln, a contributing resource located in the Ingleside Historic Overlay Zone of the City of Deadwood, as proposed by Tim Conrad, the applicant and property owner, as presented.

102 Sherman – Replace doors at City Hall – Public Works Director Jim Raysor

The commission referred to the following staff report:

STAFF REPORT

Case No. 06119 *November 17, 2006*
Address: 102 Sherman

The applicant has submitted an application for Certificate of Appropriateness to replace the existing wooden doors – five in total – with oak wooden doors at 102 Sherman Street, a contributing structure located in the South Deadwood Historic Overlay Zone of the City of Deadwood.

Applicant: *City of Deadwood*
Owner: *Same*
Constructed: *1936*

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 structure, built in 1936, is the last vestige in Deadwood of the Fish and Hunter Company. It housed a planning mill, woodworking shop and building material warehouse. A fire in 1958 destroyed the main store and office buildings but this structure was spared. In 1991 the City of Deadwood converted this to City Hall.*

2. Architectural design of the resource and proposed alterations: *The applicant proposes to replace existing wooden entrance doors on the front of City Hall with wooden doors in style with existing doors.*

Attachments: *Yes*

Plans: *N/A*

Photos: *Yes*

Recommended Decision: *The proposed change will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District. Staff recommends oak doors with true divided panes.*

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in his staff report.

A memorandum from Public Works Director Jim Raysor to the City Commission dated November 13, 2006 was included in the packet. Cost estimates to replace the city hall doors were provided in his memo. Responding to a question by Ms. Feterl, Mr. Kuchenbecker stated the doors would be painted on the exterior and stained on the interior. Mr. Olson requested clarification regarding the staff recommendation. It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness to replace the existing wooden doors at the Deadwood City Hall located at 102 Sherman Street, five in total, with true separation oak wood doors at 102 Sherman Street, a contributing structure located in the South Deadwood Historic Overlay Zone of the City of Deadwood, as proposed by the City of Deadwood, the applicant and property owner, as presented.

136 Sherman – Windows – HCW Construction

The commission referred to the following staff report:

STAFF REPORT

Case No. 06120 *November 17, 2006*
Address: 136 Sherman

The applicant has submitted an application for Certificate of Appropriateness to remove wall covering inside and expose outside windows at 136 Sherman Street, a contributing structure located in the South Deadwood Historic Overlay Zone of the City of Deadwood.

Applicant: HCW Construction
Owner: Keene Team Realty
Constructed: 1936

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 structure was built as the Pioneer Transfer Building in 1936 for a trucking terminal. The facility was a natural out-growth of the horse drawn wagon transfer facilities which once occupied may of the lots adjoining the adjacent rail yards.*

2. Architectural design of the resource and proposed alterations: *The applicant proposes to remove existing interior walls which covered the existing windows from the inside and install a plate glass fixed window on the inside maintaining the original windows on the exterior with proper glazing repair and paint.*

Attachments*: Yes*

Plans: *N/A*

Photos: *Yes*

Recommended Decision: *The proposed change will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District*

Mark Straub described the proposed project. Historic Preservation Officer Kevin Kuchenbecker stated the existing windows are original to the building and he spoke in support of the project. It was moved by Ms. Feterl, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness to remove the existing interior walls which cover the existing windows from the inside and install a plate glass fixed window on the inside at 136 Sherman Street, a contributing structure located in the South Deadwood Historic Overlay Zone of the City of Deadwood, as proposed by HCW Construction and Keene Team Realty, the applicant and property owner respectively, as presented.

Mr. Straub reminded the commission of the annual Days of '76 banquet tonight. On behalf of the Board of Directors, he thanked the commission and the City of Deadwood for their support.

Archives - Request Permission to Purchase Oversized Steel Flat Files

City Archivist Mike Runge requested permission to purchase four (4) oversized steel flat files for archival materials and a base to elevate the drawers in the archives department using projected end-of-the-year-surplus funds in the 2006

budget. Several quotes were presented for the equipment. Responding to a question by Mr. Olson, Mr. Runge stated the quotes include charges for freight. It was moved by Ms. Oberlander, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution authorizing staff to purchase four (4) oversized steel flat files from Gaylord Brothers, the lowest responsible bidder meeting specifications, at a cost of $3,137.18, using end-of-the-year surplus funds in the 2006 archives budget.

Archives - Request Permission to Lockable Book Shelf

City Archivist Mike Runge requested permission to purchase a lockable bookshelf for the archives research room using projected end-of-the-year-surplus funds in the 2006 archives budget. Several quotes for the bookshelf were presented to the commission for consideration.

It was moved by Mr. Olson and seconded by Mr. Olsen to adopt a resolution authorizing staff to purchase a lockable bookshelf from ABC Business Supply in the amount of $490.00. Mr. Kuchenbecker described the product from low bidder, ABC Business Supply, as more of a display cabinet rather than a lockable bookshelf. He recommended the commission authorize staff to purchase a cabinet which truly meets the needs of the archives department. Mr. Olson amended the motion with the concurrence of Mr. Olsen to adopt a resolution authorizing staff to purchase a lockable bookshelf from Gaylord Brothers at a cost of $601.98, using end-of-the-year surplus funds in the 2006 archives budget. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Archives - Robert Kolbe Partial Appraisal of Collections

City Archivist Mike Runge presented a request to conduct a partial appraisal of the city's collections for insurance purposes as outlined in the 2006 proposed archival budget. He distributed additional information he compiled in a memorandum dated November 21, 2006 which includes a list of the collections with those collections that staff feels should be considered for this appraisal highlighted in red. He asked the commission to review the list, which he described as a workable list which can be reprioritized if necessary.

He requested permission to retain the services of Mr. Robert Kolbe of Kolbe's Antiques, Books & Clocks located in Sioux Falls. The estimated expense associated with mileage, meals, lodging, professional services and completion of a report is $1,849.69. Ms. Feterl asked if there would be a contractual agreement with Mr. Kolbe and Historic Preservation Officer Kevin Kuchenbecker agreed that would be appropriate. It was moved by Mr. Steinlicht and seconded by Mr. Olsen to adopt a resolution authorizing staff to retain the professional services of Robert Kolbe of Sioux Falls to complete the partial appraisal of the City of Deadwood Archives Collections at a cost not to exceed $1,849.69, and that the city attorney draft a contractual agreement with Mr. Kolbe as soon as possible. Mr. Runge noted that the site visit is scheduled for November 28-30, 2006 and questioned whether there would be sufficient time to obtain a contract and city commission approval prior to Mr. Kolbe's scheduled trip. Chairman Speirs directed told Mr. Runge to tell City Attorney John Frederickson the contractual agreement is needed "as soon as possible" and the recommendation of the commission can go to city commission Monday night. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Masonic Temple Grant Request

Chairman Speirs called upon Historic Preservation Officer Kevin Kuchenbecker to provide information regarding this matter.

He reported that last Spring, the Masonic Temple along with other entities submitted applications for City of Deadwood Historic Preservation nonprofit grant funds. The grant committee, due to a lack of available funding, tabled all requests received.

Recently however, the City of Deadwood was informed that the Western Governors Association Annual Meeting will be held in Deadwood, June 10-12, 2007. Nineteen governors, three U.S. pacific Islands representatives and a large

contingency will be in Deadwood participating in that event. Mr. Kuchenbecker explained that choosing Deadwood as the host city is an opportunity to showcase the historic preservation activities in our community.

A task force consisting of representatives from the city commission and historic preservation commission recommends that the commission consider approving financial assistance to the Masonic Temple in the amount of $58,000 to be funded from cash reserves and interest income, for the installation of proper electrical and air conditioning systems, to ensure the longevity of that building which is one of our historic resources. It was moved by Mr. Olsen, and seconded by Mr. Olson to adopt a resolution to approve nonprofit grant funding from 2006 cash reserves and interest income in the amount of $58,000 for electrical and air conditioning improvements at the Masonic Temple. Ms. Feterl said the money "might just be sitting there" because several nonprofit organizations approved for funding have not requested disbursement of the funds. Mr. Kuchenbecker corrected that statement by saying recipients of Outside-of-Deadwood grant recipients were recently notified by mail of unspent funds. Mr. Olsen spoke in favor of this project saying "the interior of a building, like all artifacts, is best preserved if the temperature can remain somewhat constant. Completing the electrical and air conditioning improvements is actually preserving that building and a great use of historic preservation funds". Hearing no further discussion, upon vote taken thereon, the motion carried with Mr. Steinlicht abstaining.

OLD BUSINESS:

39 Van Buren Update - FYI

A memorandum from Building Inspector Keith Umenthum regarding the status of the addition to the house at 39 Van Buren Street was distributed in the commission packet for information only.

424 Main Street – Union Palace – GR Deadwood LLC

It was moved by Mr. Steinlicht, seconded by Mr. Olsen and carried unanimously to remove from the table the matter of the Union Palace, GR Deadwood, LLC, 424 Main Street, and place it on the agenda to be heard at this time.

Frank Gould approached the commission at this time. He apologized for not having been present at the Historic Preservation Commission meeting on October 25, 2006.

Mr. Gould began by describing the current condition of the Union Palace, which he calls in a "pretty good state of decay". There is a large bulge, estimated at eighteen inches, in the exterior wall on the side of the building and movement of the building towards the parking lot. He presented a request to use a "common technique" to support and reinforce the building with the installation of an engineered buttress. He also plans to seal all the brick and re-grout areas where grout is missing. He described the masonry on the sides of the building as "really cheap, soft brick" and stated the sides definitely need to be sealed, tuck-pointed and brought back into condition.

Mr. Gould said the front façade actually has very good brick, which is "almost immaculate". On the front of the building, the applicant is proposing to change the color of the paint and to replace the "1960's vintage aluminum storm windows" on the second floor with a wooden casement window of a similar style but a more energy efficient design. There are also transom panels cover some fluorescent lights. He would like to eliminate them or upgrade them.

Mr. Kuchenbecker stated those appear to be the original transom glass panels which were engineered to reflect the light back into the building; his recommendation states the windows should be repaired rather than replaced whenever possible. Chairman Speirs said Mr. Gould is saying they are not original to the building. Mr. Gould said, "aluminum storm windows did not exist when that building was built". Mr. Kuchenbecker said the aluminum storms can be removed. Mr. Gould stated "there is severe checking in the wood; all are in a semi-rotten state of repair, none of them operate properly...they are a hundred years old". Mr. Kuchenbecker stated he is more concerned about the transom.

Mr. Gould said "to completely remediate the building is not a viable option... That wall has moved substantially.... What we are proposing will certainly lengthen and enhance the longevity of the building substantially".

Mr. Gould continued by explaining that large tie bars were placed through the building to hold it together at some point. He is of the opinion they were not put in when the building was constructed. A lean-to that went into the parking lot was on the building at one time and he understands it was a cold storage unit of some kind. Having been a life-long resident of neighborhood, Mr. Steinlicht said the lean-to served as "a backyard mechanic's garage".

In response to a question by Ms. Feterl, Mr. Gould described the door he proposes to install on the side of the building as a double passage door which will provide access to the parking lot. On the right hand side of the façade, will be the twenty four to thirty inch engineered buttress intended to stabilize the side wall of the structure. If there is a seismic event or anything that causes a severe vibration in that area, Mr. Gould thinks that building will keep moving. He "has been in construction for a lot of years and is an architect by education. He is speaking not just from emotion; he is speaking from knowledge".

Mr. Olson referred to staff's recommendation for a complete structural analysis of the building. Mr. Gould said "it would cost an arm and a leg to do a complete engineering analysis on that building and he is not going to do that". He assured the commission that he "will have a certified South Dakota engineer's stamp on it but he wants the concept and the drawings and the proposal approved as they are" before he goes ahead with it. Mr. Olsen questioned how the outward appearance of the building would change and Mr. Gould said renderings were provided for the meeting on the October 25th.

Chairman Speirs called upon Mr. Kuchenbecker for comments. He agreed that the building has moved over time but when that movement occurred is unknown; the masonry is starting to fail and needs tuckpointing; he would defer to someone with masonry experience on historic buildings regarding the need to seal the brick. Regarding the large buttresses the applicant proposes to camouflage in the side entrance, Mr. Kuchenbecker feels it would appear there would be alternatives to stabilization of this building which may not have an adverse effect on the resource.

Mr. Gould is not proposing to stabilize the building without an economic use of the building and said "we can use the building as it is and leave it as it is and we are content to do that if that is the wishes of the commission...but that would be short sighted on the part of the commission".

Ms. Oberlander called upon Mr. Kuchenbecker for alternatives to the buttresses. Mr. Kuchenbecker began by stating "he is not an architect or an engineer". The structural analysis will assist in understanding what has happened to that building. Mr. Gould said, "it appears the initial fix was...they put these rods through the building with a bracket that would hold a beam. Apparently, the building continued to move because the beam is now gone. There is clearly a z-shaped steel bracket bolted to the downhill side; there are no such pockets or brackets on the other side...just washers. It is a reasonable conclusion that someone thought that when the building started to move, by bolting this big beam to the side of the building, it would keep the building from moving. It is all speculation", but he feels it is reasonable speculation. Mr. Gould said, "when you consider what eighteen inches of masonry thirty feet high would weight ... a beam to counteract that kind of weight would have to be more than a six-inch thick bridge plank or railroad tie. Right now, it would have to be a custom made I-beam. It is a nice thought to think you could straighten that building, but you'd have to take it apart brick by brick and bring it back up brick by brick to do it right".

Mr. Kuchenbecker reported having conducted an onsite review of the historic structure with Building Inspector Keith Umenthum, and staff's recommendation is to request a complete structural analysis of the building to determine the most effective and least intrusive means to stabilize the building. Mr. Gould countered by saying he is proposing "a reasonable repair to the building". Mr. Olsen feels the issue is determining the "best fix to stabilize the building" and he is not convinced that what Mr. Gould is proposing will stabilize the building. Mr. Kuchenbecker said a structural engineer may be come back and say the building moved a hundred years ago; and that besides proper tuck-pointing and repair of the masonry, there may not be any need for buttresses or anything.

Mr. Gould suggested the commission "approve it contingent upon an engineer agreement and we'll stabilize it". Chairman Speirs stated staff and the commission would want to see the completed report first and do things one step at a time.

City Attorney John Frederickson suggested that if Mr. Gould is in agreement to having an engineer look at it, perhaps the commission could continue it for two weeks pending an engineer's analysis.

Chairman Speirs noted the issue of the window repair/replacement has not been resolved. Mr. Kuchenbecker recommends the windows be repaired and put back in place. Mr. Gould questioned whether the transoms were part of the original building but "if they are, we will certainly repair them and put them back up. Whether this is the original glazing is the only thing we are potentially disagreeing on". He said it is not possible to recreate the light penetration into the building because they brought the second floor right there where the lighting is. He is not looking at the project from a "purely preserving history" standpoint, he is looking at it from an economic/business standpoint as well as being part of Deadwood and understanding that history is what brings people here. He claims they are not trying to deface the building. Mr. Olsen said every effort must be made to keep the outward appearance of the façade as original as possible. Mr. Kuchenbecker will ask Mike Runge and possibly Mary Kopko to do additional historic research on the façade.

Ms. Feterl appreciates the fact that Mr. Gould is willing to come forward with plans to preserve that building. Mr. Gould said that a complete restoration of the building "is pretty remote to say the least. There have been other issues within the building itself. Apparently, there was a sprinkler system that failed at some point within the recent history of the building...he's guessing within the last 10 years. In the entire main floor of the building, the wood floor has been torn out with ¾" plywood put in its place".

Ms. Feterl initiated a motion to continue the matter to the next meeting to allow Mr. Gould to contact a structural engineer but was interrupted by Mr. Gould who said he would "bow out then. If it is going to be continued, continue it until the spring, and I'll come back with an engineer's report supporting what we propose to do". Mr. Gould left the meeting at this time.

It was moved by Ms. Feterl and seconded by Mr. Olsen to continue the matter of the Union Palace, GR Deadwood, LLC, 424 Main Street, until a structural analysis of the building can be conducted by a structural engineer with a report being submitted to the Historic Preservation Officer. Mr. Olson recommended the matter be tabled rather than continued to allow Mr. Gould to come back at his discretion. Ms. Feterl amended the motion with the concurrence of Mr. Olsen to adopt a resolution to table the matter of the Union Palace, GR Deadwood, LLC, 424 Main Street, until a structural analysis of the building can be conducted by a structural engineer with a report being submitted to the Historic Preservation Officer. At this time, Chairman Speirs expressed discontent with Mr. Gould leaving the meeting rather abruptly. She asked Mr. Kuchenbecker to talk to Mr. Gould regarding his concerns. Mr. Kuchenbecker reported having had several conversations with Mr. Gould. He has tried to describe what he is recommending and apparently he is not listening.

Ms. Oberlander referred to the Mr. Gould's comment indicating he "would present an engineer's report to support my plan". There was discussion regarding receipt of an objective structural analysis completed by an unbiased professional. Ms. Feterl asked whether the City has paid for or assisted in paying for a structural analysis in situations where there are concerns. Chairman Speirs recalled that three engineers reviewed the Trebor Building which is a contributing building. The property owner, Ken Kellar, paid for one and Mayor Toscana recalled the City probably paid for the other two. Mr. Kuchenbecker reported the city also paid for the structural engineer's analysis for the house on Cliff Street following the fire. Mr. Olsen asked if the City could proceed with completion of a structural analysis immediately and Mayor Toscana thought the property owner's permission would be necessary.

City Attorney John Frederickson suggested a letter be sent to Mr. Gould explaining that "the final decision of the commission was to table the matter until the Spring based on his representation that he was going to have an engineer look at it and then lay out all of the other concerns mentioned here tonight". Mayor Toscana said if the commission and staff question the findings in the engineer's report, a second report can be completed by the city.

Ms. Feterl asked whether measures to stabilize the building need to be taken prior to the Spring. Chairman Speirs stated "a demolition by neglect committee" is being established and perhaps this property could be addressed within those guidelines. Mr. Kuchenbecker acknowledged that there are bricks in the parking lot that have dislodged at some point in time. This is an obvious concern. The building is unstable as it sits today because of the masonry that is falling out along the side of the building. Mr. Kuchenbecker stated this could be addressed under the minimum maintenance standards defined by city ordinance. Ms. Oberlander asked if some of the masonry repair could be completed "no matter what". Mr. Kuchenbecker is not convinced that the buttresses are needed; he feels those provide an opportunity to disguise the side entrance. Ultimately, the owner wants a side entrance into the building. He feels that a structural report will tell us if those remedies are necessary to stabilize the building. Again, his original recommendation is to have a structural analysis completed by a structural engineer that has experience with historic buildings. He thinks that is the key. We know from experience with consultants, engineers, whomever, that when you hire somebody, they're there to represent you and may not always look at all the options. Granted, that option he is presenting us could work but it is the best option for historic preservation? I am not convinced of that and I'd like to see other options. If we engage another engineer, they may come back and say nothing is needed; or provide more options that will not have an adverse affect to the historic resource. Ms. Feterl asked that Mr. Kuchenbecker's letter include the names of individuals with the training and experience necessary to complete the analysis.

Ms. Oberlander again asked Mayor Toscana if the city could pay for the structural analysis of the structure. He offered the following comments: 1) we need his permission and 2) this is one of the wealthier casino establishments in our community...he would hate to see the city spend the money to do something he should be doing. He understands the commission's concerns regarding an impartial report. He recommended the process begin with the letter to Mr. Gould to include a time frame tied into minimum maintenance. Ms. Feterl said "if we have a concern with the condition of a building, why wouldn't we offer assistance with this type of analysis?" Mr. Kuchenbecker said "from a preservation standpoint, I don't care what a person is worth, our mission is about the building". Mayor Toscana disagreed and reminded the commission "of the road we went down several years ago with archeology".

Mr. Kuchenbecker will send courtesy copies of his letter to Mr. Gould to each commissioner. Hearing no further discussion, upon vote taken thereon the motion carried unanimously.

Recommendation to the City Commission for Historic Preservation Officer's Powers and Duties

City Attorney John Frederickson reported having been working with Historic Preservation Officer Kevin Kuchenbecker to define the powers the Historic Preservation Officer (HPO) could use or exercise in his position to avoid problems and to better improve, preserve and protect historic properties. The authority to give him those powers is set out in statute. A fairly comprehensive ordinance defining the powers and duties HPO and which creates a working situation between the HPO, Building Inspector and Planning & Zoning was reviewed by the commission.

Mr. Olsen noted that the authority of the HPO with regard to signage issues was omitted from the proposed ordinance. Mr. Frederickson suggested the commission could approve the proposed ordinance contingent upon revising the document to include appropriate verbiage defining signage authority. Mr. Frederickson said that because this in the form of an ordinance set before the city commission, it requires a first reading and second reading with a twenty day waiting period after the recommendation that it takes effect. Mayor Toscana questioned the need to define administrative authority in the form of an ordinance. It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to direct the City Attorney to revise the proposed ordinance to establish the Powers and Duties of the Historic Preservation Officer to include verbiage regarding signage powers and submit it to the city commission for consideration.

Cedar Wood Inn - 103 Charles, Sign Alterations

Gordon Mack was not present.

Historic Preservation Officer Kevin Kuchenbecker reported that Mr. Mack plans to paint the letters gold in color and he will come back before the commission proposing some additional verbiage on the bottom.

It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to continue the Sign Permit Application for modifications to the existing sign at the Cedar Wood Inn located at 103 Charles Street, and to abide with the prior agreement to allow the following: the wooden base will be allowed to remain in place until the matter is resolved and the property owner will be allowed to advertise the room rate.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:
Joy McCracken, Executive Director of Neighborhood Housing Services (NHS) provided the following reports to the commission.

Revolving Loan Fund Cash Disbursements Journal
It was moved by Ms. Feterl, seconded by Mr. Olson, and carried unanimously to adopt a resolution to approve the historic preservation revolving loan fund cash disbursements journal totaling $760.00 to the following: Ingelside Construction, as presented.

Financials for October 2006
Ms. McCracken referred the commission to the following financial reports for the months ending October 31, 2006: the HP Revolving Loan Fund Balance Sheet, Statement of Revenues and Expenditures, Deadwood HP Total Loans and Pool Trial Balance.

Loan Delinquency Report
The loan delinquency report consists of The Gillmore, Greg Bricher, Leslie Christiansen and two loans for Scott Oechsner. The loans for Mr. Oechsner and Mr. Christiansen are in the process of being renewed. Staff is in the process of trying to contact Mr. Christiansen.

ITEMS FROM CITIZENS NOT ON THE AGENDA:
None.

COMMITTEE REPORTS:
Chairman Speirs requested reinstating the Budget Committee, which would meet with the City Finance Officer to review the budget on a monthly basis. The following persons volunteered to serve on this committee: Ronda Feterl (chair) and Mike Olsen.

Advocacy: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.
Ms. Feterl reported that the next issue of the HistoryLink publication has been proofed.

Archeology: Commission representatives: Darin Derosier (chair), Mike Olsen and Willie Steinlicht.
No report was given.

Archives: Commission representatives: Mike Olsen (chair) and Steve Olson.
Mr. Olsen that city archivist is working on putting together a project list for 2007.

Cemetery: Commission representatives: Mary Ann Oberlander, Steve Olson (chair) and Rose Speirs.
No report was given.

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

Grants: Commission representatives: Ronda Feterl, Mary Ann Oberlander (chair) and Willie Steinlicht.
Ms. Oberlander reported that Mr. Kuchenbecker recently sent a letter to recipients of Outside of Deadwood grants funds requesting a project status report. Mr. Kuchenbecker reported having receiving some responses and more information will be forthcoming.

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

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

Policies & Procedures: Commission representatives: Mike Olsen, Steve Olson, Rose Speirs (chair).
No report was given.

Signage: Commission representatives: Darin Derosier, Rose Speirs and Willie Steinlicht (chair).
Chairman Speirs announced there is a meeting tomorrow meeting at 8 a.m. She asked for input from the commission regarding the revised ordinance relating to banners.

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

Representative to Adams Museum: Commission representative: Rose Speirs.
Chairman Speirs reported that a quorum was not present for the board meeting scheduled for last week.

Representative to Chamber: Commission representatives: Darin Derosier (chair) and Willie Steinlicht.
Mr. Steinlicht reported on the chamber board meeting this morning. Matters discussed included public broadcasting filming some television programming in Deadwood, United Way and the board heard a follow-up report on the Dead-Weird festivities this year.

Representative to Days of '76 Board: Commission representative: Steve Olson.
Mr. Olson reported that a representative from the Bush Foundation will meet with the Days of '76 Board on December 11, 2006. They continue with fundraising efforts for new museum.

Representative to NHS: Commission representative: Willie Steinlicht.
Mr. Steinlicht reported that NHS is currently working on its annual fundraising drive.

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

OTHER BUSINESS:

Mr. Kuchenbecker is meeting with the chairman of the demolition by neglect committee tomorrow morning. Several commissioners have provided input to Mr. Kuchenbecker which he will present at the meeting.

Mr. Kuchenbecker reported that the Friendship Home has been leveled. An archeologist was on site and found some small artifacts which will be recorded. This project proceeded in accordance with the archeological guidelines that were implemented and the process seems to be working.

Mr. Kuchenbecker reported that a temporary structure that was approved at the House of Roses for a period of one year was removed last week.

EXECUTIVE SESSION:
None.

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 5:40 p.m.

ATTEST:

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Rose Speirs
Chairman
Historic Preservation Commission
Mary Burket, Recording Secretary