

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, June 10, 2015 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Election of Officers
3. Approval of Minutes from May 27, 2015
4. Voucher Approval
5. Old or General Business
 - a. Requests for Financial Assistance and Support
 - Boys & Girls Club of Lead/Deadwood
 - Buffalo Dreamers Dancers
 - b. Elderly Residents Program review and adoption - Loan Committee
 - c. NeighborWorks Agreement of Administration - Renewal
 - d. CoA - Case#**H15025** - 175 Sherman - Tim Buckstead/Bone Daddy - Windows/Paint Exterior/Sign
6. New Matters before the Deadwood Historic District Commission
 - a. CoA - Case#**H15026** - 83 Sherman - LLB, LLC - Exterior Renovations
 - b. CoA - Case#**H15027** - 669 Main St - Harley Kirwan - Exterior Paint & Lighting
 - c. CoA - Case#**H15028** - Lower Main Street - City of Deadwood - New Visitor Center
7. New Matters before the Deadwood Historic Preservation Commission
8. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - Fairmont Hotel
 - c. Retaining Wall Program / Disbursements
9. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
10. Staff Report (*Items considered but no action will be taken at this time.*)
11. Committee Reports (*Items will be considered but no action will be taken at this time.*)
12. Other Business
13. Adjournment

All Applications **MUST arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1st or 3rd Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION
Wednesday, June 10, 2015

Present Historic Preservation Commission: Chair Laura Floyd, Lyman Toews, Lynn Namminga, Thomas Blair and Chuck Williams were present.

Absent: Vice-Chair Michael Johnson, Dale Berg and Ms. Terri Williams, City Attorney, were absent.

Mr. Kevin Kuchenbecker, Historic Preservation Officer and Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services were all present.

Present City Commission members: Dave Ruth Jr. and Jim Van Den Eykel were present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, June 10, 2015 at 5:00 PM in Commission Room located in the City Hall at 108 Sherman Street in Deadwood, SD.

Election of Officers:

It was moved by Mr. Blair and seconded by Mr. Namminga to nominate Ms. Laura Floyd as Chair of the Historic Preservation Commission for the period of June 10, 2015 to May 25, 2016. Hearing no other nomination from the Commission, it was moved to close nominations for Deadwood Historic Preservation Commission Chair. Aye – All. Motion carried to approve the nomination and reappointing of Ms. Floyd as Chair of the Deadwood Historic Preservation Commission.

It was moved by Mr. Namminga and seconded by Mr. Blair to nominate Mr. Michael Johnson as Vice-Chair of the Historic Preservation Commission for the period of June 10, 2015 to May 25, 2016. Hearing no other nomination from the Commission, it was moved to close nominations for Deadwood Historic Preservation Commission Vice-Chair. Aye – All. Motion carried to approve the nomination and reappointing of Mr. Johnson as Vice-Chair of the Deadwood Historic Preservation Commission.

It was moved by Mr. Toews and seconded by Mr. Williams to nominate Mr. Thomas Blair as Second Vice-Chair of the Historic Preservation Commission for the period of June 10, 2015 to May 25, 2016 in the case both the Chair and Vice Chair were absent. Hearing no other nomination from the Commission, it was moved to close nominations for Deadwood Historic Preservation Commission Second Vice-Chair. Aye – All. Motion carried to approve the nomination of Mr. Blair as Second Vice-Chair of the Deadwood Historic Preservation Commission.

Approval of May 27, 2015 HPC Minutes:

It was moved by Mr. Blair and seconded by Mr. Williams to approve the minutes of Wednesday, May 27, 2015 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Mr. Toews and seconded by Mr. Blair to approve the HP Operating Account in the amount of \$423,325.20. Aye – All. Motion carried.

Old or General Business:

Request for Financial Assistance and Support – G.R.A.P.E. Committee

Mr. Kuchenbecker informed the Commission the G.R.A.P.E. Committee met on June 9, 2015 to review financial assistance and support requests for the following two groups: *Boys & Girls Club of Lead/Deadwood* and *Buffalo Dreamers Dancers*. He noted these are not budgeted items and would come out of the Public Education and Advocacy line item.

The G.R.A.P.E. Committee recommended awarding up to and not to exceed \$2500 to each applicant contingent upon a Programmatic Agreements with both organizations outlining their programs, timelines and specifying guidelines of the funding with a statement noting failure to follow the requested guidelines would jeopardize future funding. *(Requests attached as Exhibit A)*

Mr. Blair asked how each organization planned to use the HPC funding.

Mr. Kuchenbecker stated the Boys & Girls Club of Lead/Deadwood submitted a summary of their request. He noted the Boys & Girls Club is a non-profit organization requesting funds to help create an integrated history curriculum that

explores the cultural heritage of Lead/Deadwood communities through three lenses: general history, the arts, and science. He added the Boys & Girls Club is targeted toward Lead-Deadwood students in grades 4-12 as a year-round, out of school time educational opportunity with 207 students currently enrolled.

Mr. Kuchenbecker informed the Commission the Buffalo Dreamer's LLC appears to be a family operated business made up of several dancers who, through storytelling, music, dance and their traditional Native American cultural related performances share their Native history, culture and heritage with the public. He added last year Deadwood Alive had them perform for part of the season; however Deadwood Alive does not have the funding to do so this year. He stated Mr. Fairbanks, representative for the Buffalo Dreamer's LLC, spoke with Mayor Turbiville who instructed Mr. Fairbanks to speak with the Historic Preservation office. Mr. Kuchenbecker requested a written proposal. He did note a concern of keeping a structured schedule and having coordination with Deadwood Alive along with the following of ordinances such as insurance and panhandling, all of which could be addressed within a Programmatic Agreement.

Mr. Kuchenbecker stated, if awarded, funding would not be released or programs endorsed until the Programmatic Agreement was in place.

Mr. Blair questioned what affiliation the Buffalo Dreamer's LLC would be listed under at the City.

Mr. Kuchenbecker stated under the City Ordinance for any street performance or acts, all performers and actors must show the appropriate insurance and be licensed with the City Police Department. He reiterated the importance of coordinating with Deadwood Alive to ensure there is a proper schedule for blocking of the Main Street accordingly.

Mr. Williams asked if the group has performed in Deadwood before. He questioned why a group not limited to either of these hasn't approached the Historic Preservation Commission prior to the budget process.

Mr. Kuchenbecker stated last year was the first year the Buffalo Dreamer's LLC were brought in by Deadwood Alive to perform and they were very popular with the tourist. He added the challenge was coordinating with Deadwood Alive and keeping the Buffalo Dreamer's LLC on a tight program schedule.

Mr. Kuchenbecker stated the Historic Preservation office is approached for funding throughout the year.

Mr. Blair stated the Elks sees the same issue when it comes to funding requests. He added groups approach when the funding is needed, but he suggested that as groups are supported year after year, it is the Commission's opportunity to request from these groups to submit a proposal for the budget for consideration.

Chair Floyd agreed requesting a proposal would be a possibility for the Commission this year because it does fall prior to 2016 Budget meetings.

Mr. Williams stated he liked and appreciated how the Boys & Girls Club took the time to break down and explain in detail where the funding requested would be put to use. However, he expressed his disappointment in how the Buffalo Dreamer's LLC did not. He added he understands how the group is a tourist favorite and should be a part of Deadwood's entertainment, but he cautioned the Commission on approving a request if they don't know where the money is being spent.

Mr. Blair agreed suggesting the Buffalo Dreamer's LLC submit a detailed budget explaining how funds will be used, financial overview of their group and structured schedule for review along with assurance of the compliance to City Ordinances.

It was moved by Mr. Blair and seconded by Mr. Namminga to award the Boys & Girls Club of Lead/Deadwood funding not to exceed \$2500 contingent upon a Programmatic Agreement from the Public Education and Advocacy budget's Other line item.

It was moved by Mr. Blair and seconded by Mr. Williams to continue discussion on awarding the Buffalo Dreamer's LLC funding pending additional information regarding how funding will be allocated and addressing stated concerns.

Mr. Toews expressed having Native American Culture a part of Deadwood again is a positive and the Commission in the end should find a way to make this work. He added it all comes down to finding the right way of funding and the right way of controlling the schedule of the group.

Mr. Blair agreed with Mr. Toews, but expressed the only way it would work was to ensure Deadwood Alive and the Buffalo Dreamer's LLC was coordinated.

Chair Floyd stated the concerns mentioned were all addressed in G.R.A.P.E. Committee and that is why a Programmatic Agreement was suggested. She added she is not opposed continuing discussion until the Commission has obtained additional information.

Mr. Williams stated as a business there should be financials of past years the Commission could review to confirm the allocation of funds and to give the Commission an overview of the group's "check and balance" process.

Ms. McCracken of NeighborWorks addressed the Commission stating throughout the year there may be funding request opportunities that arise. She added these opportunities may be a great idea and a benefit to the community; however, the funding is just not available for support. She cautioned shutting the door to the idea.

Mr. Williams reiterated the Commission must follow a budget process as they are accountable for distribution of funds.

Ms. McCracken noted she understands the reasoning for caution and added her interest in meeting with the Buffalo Dreamer's LLC to propose participation in the Days of '76 Parade and celebration.

Ms. Anne Rodgers, Director of the Boys & Girls Club, informed the Commission the Club is a new non-profit organization which opened June 2, 2014 with only 12 students participating. She added the organization has grown to 207 students and thanked the Commission for the current funding awarded. She stated now with the information regarding the interest of the students, understanding the gaps of their own communities' history and new programs implemented, she will present the Commission with a funding proposal to be considered for the 2016 Budget. Ms. Rodgers reiterated her appreciation adding, because of the level of support and interest Historic Preservation has in educating their young people, it is wonderful to have the opportunity to get this project off the ground and running.

Mr. Namminga asked who would be addressing the Buffalo Dreamer's LLC for the additional requesting information to continue discussion.

Mr. Kuchenbecker stated he would be contacting Mr. Fairbanks in writing to request more details, financials, outcomes and structured schedule along with their other items based on the Commission's discussion.

Chair Floyd noted there are two motions on the table. She asked the Commission for further discussion. Hearing none, she called the vote.

Aye – All. Motion carried on both motions.

Elderly Residents Program Review and Adoption – Loan Committee

Mr. Kuchenbecker informed the Commission of the proposed changes to the Special Needs Elderly Program to be renamed Elderly Residents Program along with revisions to application, policy guidelines and administrative procedures as recommended by the Loan Committee. *(Memo, application, policy guidelines and administrative procedures attached as Exhibit B)* ***It was moved by Mr. Blair and seconded by Mr. Toews to adopt revisions of the guidelines, administrative procedures and application for the HP Elderly Residents Program as recommended by the Loan Committee. Aye – All. Motion carried.***

NeighborWorks Agreement of Administration - Renewal

Mr. Kuchenbecker informed the Commission the distributed annual contract agreement with NHS to administer the Revolving Loan Fund is the same agreement as in the prior year. He added the following language "may be terminated or re-negotiated" was added to the contract last year anticipating the possibility of administering some grants in-house. *(The Agreement is attached hereto as Exhibit C and incorporated herein by this reference.)* ***It was moved by Mr. Blair and seconded by Mr. Williams to make a motion to accept the agreement for the administration of Deadwood Historic Preservation Revolving Loan and Grant Funds by Neighborhood Housing Services. Aye – All. Motion carried.***

Case#H15025 - 175 Sherman – Tim Buckstead/Bone Daddy - Windows/Paint Exterior/Sign

Mr. Kuchenbecker refreshed the Commission stating the applicant requests permission to replace the large window in center of building due to bad wood frame and change color to more suit business; the proposed colors are Base: gray, Trim: black, and Accent: orange as submitted in Certificate of Appropriateness dated May 20, 2015. Mr. Kuchenbecker noted the discussion was continued as there were only four Commissioners at the previous meeting and pointed out Mr. Buckstead, owner of the property was in attendance for any questions the Commission may have.

Mr. Blair noted he understands the color scheme is important to the business and added the building was looking good.

Mr. Toews expressed his appreciation to Mr. Buckstead for the effort put into the building and noted the discussion at the last meeting surrounded whether or not the building was "too orange" and building's color history.

Mr. Namminga added the other concern was the setting of precedence.

City Commissioner Dave Ruth Jr informed the Commission the building was previously a Philip 66 and later a Sinclair Station, both of which used bright colors.

City Commissioner Jim Van Den Ekyel asked the Commission to keep in mind there are new businesses coming into the Community and adding to the City's tax roll.

Mr. Kuchenbecker added the color is a fairly reversible alteration to a building and does not damage or destroy the individual physical historic property. *(Staff report and application attached as Exhibit C)*

Mr. Kuchenbecker stated Mr. Buckstead came in to speak with him regarding the rules and regulations of owning a historic property. He added Mr. Buckstead expressed how excited he was in owning a historic property and wanted to bring it back to what it originally was. He noted when people are buying historic properties, most all understand that we are a National Historic Landmark with rules and regulation to follow.

Mr. Toews stated Philip 66 colors are historic and they were orange, white and black. He added that alone should satisfy the Commission's concern of historic and a precedence set.

It was moved by Mr. Blair and seconded by Mr. Toews to accept the proposed changes at 175 Sherman by Tim Buckstead/Bone Daddy. Aye – All. Motion carried.

New Matters before the Deadwood Historic District Commission

Case#H15026 – 83 Sherman - LLB, LLC - Exterior Renovations

Mr. Kuchenbecker informed the Commission the applicant requests permission to remove existing glass blocks at front of building; add new storefront glass entry doors and windows; repair existing front overhang underside with new mortar at rear of building; add overhead door where existing overhead door used to be; and retrofit existing windows at rear as submitted in application signed May 13, 2015. *(Staff report and application attached as Exhibit D)* ***It was moved by Mr. Blair and seconded by Mr. Toews this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for 83 Sherman Street. Aye- All. Motion carried.***

Case#H15027 – 669 Main St – Harley Kirwan - Exterior Paint & Lighting

Mr. Kuchenbecker informed the Commission the applicant requests permission to paint the building different colors: Base Chocolate Bonbon with Accent Sunflower Field as well as add four new lights across front at 669 Main Street as submitted in application dated June 1, 2015. *(Staff report and application attached as Exhibit E)* ***It was moved by Mr. Toews and seconded by Mr. Blair this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for 669 Main Street. Aye- All. Motion carried.***

Case#H15028 – 499 Main St – Lower Main Street – City of Deadwood – New Visitor Center

Mr. Kuchenbecker informed the Commission the City of Deadwood's proposed plan to build the Lower Main Visitor Center will maximize the use of the lower Main Street parking lot, house the Chamber of Commerce, increase the number of users of the parking lot and visitor's center, and enhance the visitor's experience of Deadwood with other creekside and corridor enhancements at 499 Main Street as submitted in Certificate of Appropriateness signed June 5, 2015. *(Staff report and application attached as Exhibit F)* ***It was moved by Mr. Blair and seconded by Mr. Namminga this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for 499 Main Street. Aye- All. Motion carried.***

New Matters before the Deadwood Historic District Commission

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Revolving Loan Program/Disbursements

It was moved by Mr. Blair and seconded by Mr. Toews to approve HP Revolving Loan Fund disbursement in amount of \$408.00, based on information as presented by Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried. Delinquency Report was reviewed and updates on projects were given. Overview of the Revolving Loan Fund was presented.

Fairmont Hotel – 628 Main Street

It was moved by Mr. Blair and seconded by Mr. Namminga to approve Commercial Life Safety Loan for 628 Main in amount of \$50,000 based on information presented. Aye - All. Motion carried. (NeighborWorks packet attached as Exhibit G and incorporated herein by this reference)

Retaining Wall Program/Disbursements:

No applications were addressed at this meeting.

Items from Citizens not on Agenda

None were addressed at this meeting.

Staff Report: *(items will be considered but no action will be taken at this time.)*

Mr. Kuchenbecker reported on the following items:

- Wayfinding bid opening was moved from June 9 to June 12 with results going before City Commission on Monday, June 15, 2015;
- With Lower Main Visitor Center Certificate of Appropriateness approved by the Commission, next phase will involve putting together construction documents and RFPs for Visitor Center's exhibit space of approximately 3000 sq ft;
- Mt Moriah's bid opening will be June 12, 2015 to address drainage issues;
- Permission to go out to bid for 10 Harrison will go before the City Commission on Monday, June 15, 2015;
- St Ambrose Cemetery construction meeting was today; Metal caskets from the 1920s were uncovered;
- Rodeo Grounds Concession Project is proceeding as scheduled and should meet the July 15 deadline;
- Library Window Project continues through the rain;
- 2 Dudley Retaining Wall has about a week left on that project;
- Work is continuing on the Connector Trail;
- The Program/Loan Committee will meet to review the Vacant and a new Facade program;
- Deadwood Trust for Historic Preservation approached this office to conduct on July 14 a public workshop regarding all the Historic Preservation programs offered in partnership with NeighborWorks;
- Budget meeting is scheduled for next week, Tuesday, June 16, 2015 at 8:00 a.m. and Tuesday, June 23, 2015. This is a mandatory meeting;
- Gateway sign project is still in the design phase.

Committee Reports

- Mr. Toews asked what the Commission does to help with some of these historic houses and would like to have input from the Commission as to some ideas for the upcoming meeting;
- Mr. Blair stated there was a Deadwood Alive meeting this afternoon and shared they have received enjoyable comments so far this season;
- Chair Floyd stated adjustments will be made to committee assignments and asked commissioners let her know if they have changes or comments; new assignments will be presented at next meeting.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting adjourned at 6:13 p.m.

ATTEST:

Laura Floyd
Chairman, Historic Preservation Commission
Kate Storhaug, Historic Preservation Office/Recording Secretary