

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, June 27, 2007

Present Historic Preservation Commission: Darin Derosier, Mary Ann Oberlander, Steve Olson, Matt Pike and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present.

Absent Historic Preservation Commission: Ronda Feterl and Mike Olsen.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, June 27, 2007 at 5:00 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes – June 13, 2007

It was moved by Mr. Derosier, seconded by Mr. Pike and carried unanimously to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, June 13, 2007, as presented.

Voucher Approval

Operating Account:

It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the HP Operating Account in the amount of \$117,322.17.

Bonded Account:

None.

Additions, Deletions, Corrections to the Agenda

It was move by Mr. Olson, seconded by Mr. Derosier and carried unanimously to add the following item to the agenda: 412 Main Street - Mineral Palace Parking Sign.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

649 Main Street - Miss Kitty's - Ken Kellar

Building Official Keith Umenthum explained that the applicant proposes to change the wording on the existing awning from "MISS KITTY'S" to "DD Hangout Bar & Grill". Mr. Olson inquired if the size of the awning itself would change. Mr. Umenthum stated that the awning would remain in tact, the only change would be the wording on the valance.

It was moved by Mr. Derosier, seconded by Mr. Pike to adopt a resolution to approve the Sign Permit Application for 649 Main Street, changing the sign to read "DD Hangout Bar & Grill". Ms. Oberlander inquired if the temporary signs in the window would be taken down once the change to the valance was made. Mr. Umenthum stated that he would ask the business owner to remove the temporary sign from the window. Mr. Derosier amended his motion to adopt a resolution to approve the Sign Permit Application to change the wording on the valance, located at 649 Main Street, as proposed by the applicant, Kenneth Kellar, contingent upon the removal of the temporary sign from the window, seconded by Mr. Pike and carried unanimously.

412 Main Street - Mineral Palace Parking - Revision

Rich Turbiville, representing the Mineral Palace, came before the commission at this time. The applicant brought fourth a revision to the proposed Sign Permit Application, discussed at the June 13th meeting, to replace the existing parking sign. Mr. Umenthum explained that the revision eliminated the need for a variance.

Mr. Olson asked if the new sign would be illuminated. Mr. Turbiville replied that it would not be lit.

Mr. Pike inquired about the measurements of the reader board and then stated that his main concern was if the reader board measurements were contemplated in the total calculations when determining if a variance was required. Mr. Umenthum explained that if you drew a square around both signs the total measurement would be forty five (45) square feet, which is the maximum allowable size of a parking lot sign outside of the historic district. *It was moved by Mr. Derosier, seconded by Mr. Pike and carried unanimously to adopt a resolution to approve the Sign Permit Application for a freestanding parking lot sign in the parking lot, located at 412 Main Street, as proposed by the applicants, the Mineral Palace, as presented.*

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

639 Main Street - Awning - Ron & Lisa Jorgenson

The commission referred to the following staff report:

Case No. 07041

Address: 639 Main Street

June 26, 2007

**AMENDED STAFF REPORT
DEADWOOD HISTORIC PRESERVATION COMMISSION
CERTIFICATE OF APPROPRIATENESS**

Applicant: Ron & Lisa Jorgenson
Owner: Same
Constructed: 1894 – Contributing
Planning Unit: Unit 4 – Deadwood Historic Overlay Zone

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. DeMouth, Whealen & Graves rebuilt this structure in 1894 after the original building (1893) was destroyed by fire. It housed the Ladies Bazaar, New York Store, Princes Café, '76 Inn and Powder Puff Beauty Shop over the years.
2. **Architectural design of the resource and proposed alterations:** The applicant is proposing to remove the existing awning and install a new awning smaller in size. The dimensions will be 39" tall projecting 39" out with a 12" valance across the 25' storefront. The material will be sunbrella canvas fabric (Plum Fancy).
3. **Attachments:** Enclosed
4. **Photos:** Enclosed

Recommended Decision:

Upon further review, based on the submitted rendering, the project as proposed will have an adverse effect on the historic character of the Deadwood National Landmark Historic District or the Deadwood Historic District; due to the inconsistencies of the proposed awning with adjacent storefronts as well as the exposure of the mezzanine level of the storefront which is not historically accurate to the original storefront.

Historic Preservation Officer, Kevin Kuchenbecker, summarized the staff report & then invited Lisa Jorgenson to answer any questions the commission may have. Mr. Kuchenbecker stated that the awning would open up the original storefront, exposing windows on the mezzanine level that are currently covered by the existing awning.

Ms. Oberlander inquired if Ms. Jorgenson was going to add "Happy Days" to the valance of the awning. Jorgenson stated that she "would like to", but thought she may need separate approval for that. Mr. Umenthum stated that the wording on the valance and the new awning could be approved simultaneously.

Mr. Pike stated that, aside from the color, he felt that the "most dramatic" change of the new design was that by uncovering the windows, the storefront no longer conformed to the adjacent businesses. Mr. Kuchenbecker agreed that the new awning would alter the proportions of the original storefront, as well as, the "flow" of the other awnings on the street. Ms. Jorgenson stated that the current tenant on the mezzanine level would like to have windows.

Mr. Kuchenbecker clarified that one of the reasons for the change was because the existing fabric is deteriorated and asked if Ms. Jorgenson had considered just replacing the canvas on the existing frame and adding the signage. Jorgenson stated that she could do that, but reiterated that by doing so, the tenant would still not have any windows.

Chairman Steinlicht asked for a motion. Mr. Olson stated that he was concerned with the altered proportions and asked Ms. Jorgenson to meet with Mr. Kuchenbecker to discuss other alternatives. *It was moved by Mr. Olson, seconded by Mr. Pike and carried unanimously to continue the Application for a Certificate of Appropriateness to remove the existing awning and install a new awning smaller in size at 639 Main Street, pending further discussions between the applicant and Mr. Kuchenbecker.*

721 Main Street – Coping & Masonry Cleaning - Wells Fargo Bank

The commission referred to the following staff report:

Case No. 07042

Address: 721 Main Street

June 22, 2007

**STAFF REPORT
DEADWOOD HISTORIC PRESERVATION COMMISSION
CERTIFICATE OF APPROPRIATENESS**

Applicant: Wells Fargo Bank

Owner: Same

Constructed: 1980 – Non-contributing

Planning Unit: Unit 4 – Deadwood Historic Overlay Zone

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 non-contributing resource in the Deadwood National Historic Landmark District due to its age.

2. **Architectural design of the resource and proposed alterations:** The applicant is proposing to install new coping metal over copy stones to match the existing color due to moisture challenges and deterioration. The applicant also proposes to detergent wash the exterior staining of the building.
3. **Attachments:** Enclosed
5. **Photos:** Enclosed

Recommended Decision:

The proposed project will address will have no adverse effect on the historic character of the Deadwood National Landmark Historic District or the Deadwood Historic District.

It was moved by Mr. Derosier, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness to install new coping metal over copy stones to match the existing color and detergent wash the exterior staining of the building, at 721 Main Street, a non-contributing structure located in the Deadwood Historic Overlay Zone - Unit 4, as proposed by Wells Fargo Bank, the applicant and property owner, as presented.

Demolition by Neglect Update - Pineview Building - Brad Estes

Brad Estes, representing Full House, Inc., came before the commission at this time to provide a current status report on the Pineview Building. Estes stated that the architect, Pahl, Pahl, & Pahl out of Denver, has been hired and proposes to have the designs for the second and third floor done by the end of June. Once the designs are done, it will take approximately thirty (30) days to complete the roof design. Mr. Estes is hopeful that he will have a complete design by the end of August or the beginning of September, at which time he can begin to bid the project out and begin construction on the roof in October. The first phase of this project will include a new roof, downspout hook ups, & new glass in the windows. The commission asked Mr. Estes to return on July 25, 2007 to provide another update on the project.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

14 Crescent Drive - Door Replacement - Bill & Sandy Glover

The commission referred to the following staff report:

Case No. 07042

Address: 14 Crescent Drive

June 22, 2007

PROJECT APPROVAL

The applicant is requesting Project Approval for replacement of an existing patio door on the structure located at 14 Crescent Drive, in the Larges Flat Historic Overlay Zone in the City of Deadwood, South Dakota.

Applicant: Bill & Sandy Glover

Owner: Same

Constructed: 1978

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

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

General Factors:

1. **Historic significance of the resource:** The residence was constructed in 1978 and is a non-contributing building in the Deadwood National Landmark Historic District due to the structure's age.
2. **Architectural design of the resource and proposed alterations:** The owner proposes to replace existing side opening patio door with a sliding glass door.

Attachments: Attached

Photos: Yes

Recommended Decision: The proposed work and changes will not have an adverse effect on the 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. *It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Application for Project Approval to replace existing side opening patio door with sliding glass door at 14 Crescent Drive, a non-contributing structure located in the Deadwood National Landmark Historic District, as proposed by Bill & Sandy Glover, the applicant and property owner, as presented.*

1 Rodeo Drive - Covered Deck - Kip Mau

The commission referred to the following staff report:

Case No. 07043

Address: 1 Rodeo Drive

June 22, 2007

PROJECT APPROVAL

The applicant is requesting Project Approval for the extension of the roof over the existing deck at the rear of the structure located at 1 Rodeo Drive, in the Larges Flat Historic Overlay Zone in the City of Deadwood, South Dakota.

Applicant: Kip Mau

Owner: Same

Constructed: 1978

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

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

General Factors:

1. **Historic significance of the resource:** The residence was constructed in 1978 and is a non-contributing building in the Deadwood National Landmark Historic District due to the structure's age.
2. **Architectural design of the resource and proposed alterations:** The owner proposes to extend the roof line over a 25' x 11' wood deck on the rear of the structure.

Attachments: Attached

Photos: Yes

Recommended Decision: The proposed work and changes will not have an adverse effect on the 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. *It was moved by Mr. Olson, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve the Application for Project Approval to extend the roof line over a 25' x 11' wood deck on the rear of 1 Rodeo Drive, a non-contributing structure located in the Deadwood National Landmark Historic District, as proposed by Kip Mau, the applicant and property owner, as presented.*

9 Stewart Avenue - Garage - Brian Jewell

The commission referred to the following staff report:

Case No. 07047

June 27, 2007

Address: 9 Stewart Avenue

STAFF REPORT

The applicant requests Project Approval for to retire the existing garage located at 9 Stewart Avenue located in the Cleveland Historic Overlay District in the City of Deadwood.

Applicant: Brian Jewell
Owner: Same
Constructed: circa 1920

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 structure is listed as a contributing double garage associated with a house that was addressed 9 Stewart Street. The house is no longer extant.

2. Architectural design of the resource and proposed alterations: The applicant proposes to demolish the garage and build a new residential structure on the location.

Attachments: Yes.

Plans: No.

Photo: Yes.

Recommended Decision: 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; however, the structure has lost some of its integrity due to the loss of the house associated with the garage. The garage could be considered for retirement upon the recordation of the resource and approval of the plans for the new residential structure.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. Mr. Kuchenbecker stated that although the garage is a contributing structure, he believes that because the house it was originally paired with is no longer standing, the garage itself has lost some of its historic integrity. Mr. Kuchenbecker also believes that more residential units are needed in Deadwood and, based on his historic preservation philosophy feels that in this case, as long as the unit blends into the existing neighborhood and there is a place for the structure, the applicant's proposal should be considered. However, Mr. Kuchenbecker does not want the garage to come down and then not have something to replace it. Therefore, Mr. Kuchenbecker recommends that the approval to remove the garage should be contingent upon the following: 1.) complete recordation of the resource and 2.) approval of the plans for the new residential structure.

Ms. Oberlander recommended that the project approval be continued until the property owner provided the commission with the new residential plans. Mr. Kuchenbecker stated that, at this point, the property owner would just like to know if they are going to be able to proceed before they went to the expense to come up with a design.

Mr. Derosier inquired about the material of the garage. Mr. Kuchenbecker stated that it was a "masonry structure". He also explained that the garage is beginning to "fail" and bow in the middle. Derosier then stated that he agrees with Mr. Kuchenbecker, that if the structure has lost its historic integrity it would better serve the neighborhood to replace the structure with a new residential unit. However, he also agreed with Ms. Oberlander in that he felt that the commission should be able to approve the new project plans before giving the property owner permission to proceed. Mr. Kuchenbecker explained that is why the contingencies would be placed upon the approval of the application.

It was moved by Mr. Pike, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Application for Project Approval to demolish the garage and build a new residential structure, a contributing double garage associated with a house that was addressed 9 Stewart Street which is no longer extant located in the Cleveland Historic Overlay District in the City of Deadwood, as proposed by Brian Jewell, the applicant and property owner, contingent upon the following conditions being satisfied: 1.) complete recordation of the resource and 2.) approval of the plans for the new residential structure.

26 Adams Street - Door Replacement - Andy Escolet:

The commission referred to the following staff report:

Case No. 007045

Address: 26 Adams Street

June 22, 2007

PROJECT APPROVAL

The applicant is requesting Project Approval for replacement of patio on the structure located at 26 Adams in the Ingleside Historic Overlay Zone in the City of Deadwood, South Dakota.

Applicant: Andy Escolet

Owner: Same

Constructed: circa 1904

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

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 Historic Landmark District. It is significant for its historic association with the founding and initial period of growth of the City of Deadwood. It is of the Italianate style.
2. **Architectural design of the resource and proposed alterations:** The applicant proposes to replace the sliding patio door with paned French door painted to match the exterior color scheme of the house.

Attachments: n/a

Photos: Yes

Recommended Decision: 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.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. Mr. Kuchenbecker stated that 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. *It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Application for Project Approval to replace the sliding patio door with a paned French door painted to match the exterior color scheme of the house at 26 Adams Street, a contributing resource located in the Deadwood Historic Landmark District, as proposed by Andy Escolet, the applicant and property owner, as presented.*

67 Taylor Avenue - Roof Vents - Rich & Janet Turbiville

The commission referred to the following staff report:

Case No. 07046
Address: 67 Taylor

June 22, 2007

STAFF REPORT

The applicant requests Project Approval to install roof vents to the residence at 67 Taylor Avenue, a contributing structure located in the Ingleside Historic Overlay Zone of the City of Deadwood.

Applicant: Rich and Janet Turbiville
Owner: Rich and Janet Turbiville
Constructed: 1905

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. It is significant for its historic association with the founding and initial period of growth of the City of Deadwood. The architectural style is Foursquare.*
- 2. Architectural design of the resource and proposed alterations:** *The applicant proposes install four (4) flat roof vents.*

Attachments: Yes

Plans: N/A

Photos: Yes

Recommended Decision: 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.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. *It was moved by Mr. Olson, seconded by Mr. Pike and carried unanimously to adopt a resolution to approve the Application for Project Approval to install four (4) flat roof vents at 67 Taylor Avenue, a contributing resource located in the Deadwood National Historic Landmark District, as proposed by Rich & Janet Turbiville, the applicant and property owner, as presented.*

30 Jefferson Street - Deck Replacement - Robert Weber

The commission referred to the following staff report:

Case No. 07047
Address: 30 Jefferson Street

June 22, 2007

STAFF REPORT

The applicant requests Project Approval to repair & replace existing deck on the residence at 30 Jefferson Street, a contributing structure located in the Ingleside Historic Overlay Zone of the City of Deadwood.

Applicant: Robert Weber
Owner: Same
Constructed: 1889

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 proposes to repair – replace existing west facing deck. Replace deck surface with 2x6 treated boards – replace 4x4 posts and extend upward for railing to meet code. Railing constructed with 2" x 2" redwood uprights with a 6" top rail, and 2x4 bottom rails. Also install new 2x10 redwood band joist.*

Attachments: Yes

Plans: N/A

Photos: No

Recommended Decision: 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.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. Mr. Kuchenbecker explained that the existing deck is not up to code and, therefore, recommends granting project approval. *It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Application for Project Approval to repair existing west facing deck - replace existing deck surface with 2x6 treated boards; replace 4x4 posts and extend upward for railing to meet code; railing constructed with 2" x 2" redwood uprights with a 6" top rail, and 2x4 bottom rails; and install new 2x10 redwood band joist at 30 Jefferson Street, a contributing structure located in the Ingleside Historic Overlay Zone of the City of Deadwood, as proposed by Robert Weber, the applicant and property owner, as presented.*

OLD BUSINESS:

90 Charles Street - Taco Johns - Lori Collins:

Lori Collins, representative for Taco Johns, appeared before the commission at this time. Ms. Collins presented the commission with a digital photo of the proposed update to Taco Johns. Lori asked that the commission keep in mind that the building shown is not her building, therefore the picture is not an accurate representation. It does however depict how the new design would look next to the existing buildings in the neighborhood. Lori stated that both Dr. Guilbert & Dr. Mills are "receptive to the new look". Mr. Derosier stated that he has spoke with several members of the community and feels that most are in favor of an update. He commended Lori for her efforts.

Ms. Oberlander inquired about the changes in size. Ms. Collins stated that there will be 15' added to the front and possibly, if cost effective, 3' to the west side of the structure. She would also like to continue the paving 10' to the creek to be used for employee parking, remove the existing shed that now houses the refrigeration system, add new refrigeration and freezer units that would be attached to the back of the building, and relocate the dumpsters to the new concrete area by the creek. Ms. Oberlander asked if these new dimensions were approved by Planning & Zoning and Lori assured her that they were.

It was moved by Mr. Derosier, seconded by Ms. Oberlander to adopt a resolution to approve the Application for Project Approval to remodel Taco Johns located at 90 Charles Street. Mr. Pike, based on conversations he has had with fellow citizens, recognized what a value Lori is to the community and stated that the last thing the commission wants to do is 1.) appear unfriendly and lose her as a thriving business owner and 2.) "handcuff" her to the expectations of corporate Taco Johns and the expectations of the city. However, he does feel that "thinking outside the box" would create a unique opportunity to create a Taco Johns that is aesthetically different from all of the others. Mr. Pike inquired if Ms. Collins had had the opportunity to meet with Mr. Kuchenbecker to discuss some different options for the new design that would go beyond "just another Taco Johns", as well as, discussing with corporate what their willingness is to assist her with a new design. Lori stated that she has not. Mr. Pike then asked if she was willing to explore other design options or if she was content to comply with corporate wishes. Ms. Collins explained that all she wanted to do was update her building and is under pressure to do so, or be in contempt of her franchise agreement. She also explained that the design is that of a "tex-mex" business and realizes that the design is not historic, but pointed out that most of the surrounding business are not historic either.

Mr. Derosier stated that if Lori had come to the commission requesting permission to tear the structure down, the commission would allow it because it is a non-contributing structure. He explained that all Lori is asking is to do is to improve her building and he feels that the commission is making it too difficult for her to do so. Mr. Derosier stated that he feels that it is imperative that the commission show the local business owners that they support them and are willing to work with them in their efforts for a successful business. Mr. Derosier mentioned the fact that Deadwood may lose a grocery store and, therefore, is "very much in favor of this project". Mr. Kuchenbecker stated that his feeling is that everyone on the commission is in favor of the improvements, but want to do the right thing with the opportunity. Mr. Derosier reiterated that the commission is making it too difficult and stated that "this is a simple remodel".

Mr. Pike stated that although the surrounding businesses are not historic, he feels that this remodel will significantly alter the structure which, in turn, creates an opportunity to bring it "more in line" with the "historic integrity" of Deadwood that should not be overlooked. He feels that "very little effort" has been made to take advantage of this opportunity and explore other options. Mr. Pike stated that he gets the sense Ms. Collins feels as though she must defer to corporate wishes which "forces this bodies hand" to either approve the plans as is, or place Lori in a terrible situation. Mr. Derosier referred to the BP gas stations on either side of Taco Johns, stating that the commission allowed them to conform to corporate policy and that this situation is essentially the same.

Mr. Olson stated that there were only two (2) design elements that he was concerned with: 1.) the asymmetrical look of the front and 2.) the signage. He suggested that the arch be extended across the entire front of the building. Lori reiterated that the structure in the digital picture is misleading because it is not her building and, therefore it is not an exact rendering of the new design. *Hearing no further discussion, upon roll call vote being taken thereon, with the following commissioners voting AYE: Derosier, Oberlander, and Steinlicht; the following commissioners voted NO: Pike and Olson.* Mayor

Toscana stated that he believed that on a seven (7) member commission it would take four (4) votes for majority rule regardless of there only being five (5) members present. He suggested that the commission seek legal advice to clarify the issue and asked that Lori, within the next two (2) weeks acquire new photos to present to the commission which more accurately depict the new design. Based on the Mayor's suggestion, Chairman Steinlicht stated that the discussion would be continued, pending legal council.

12 Washington Street – Railing – Janice Heffron:

Historic Preservation Officer Kevin Kuchenbecker noted that the applicant was not in the audience. *It was moved by Ms. Oberlander, seconded by Mr. Pike and carried unanimously to continue discussion regarding the proposed 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.*

152 Sherman Street - Window Change - First Western Bank

Dusty Pinske, representative for First Western Bank, appeared before the commission at this time seeking permission to make a change to the approved project design based on the recommendation of First Western Bank's contractor. The change would include adding a wood frame to the window and painted green to match the trim, creating two (2) windows instead of one (1) to the front of the structure. Mr. Kuchenbecker stated that the proposed change would not have an adverse effect. *It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Certificate of Appropriateness at 152 Sherman Street for the window change.*

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

8 Burnham Avenue - Steve & Jan Creger

Historic Preservation Officer Kevin Kuchenbecker stated that the retaining wall on the lower side of this property is in disrepair and failing. According to Mr. Kuchenbecker's research, the wall dates back to the era of the Longfellow School House. Mr. Kuchenbecker stated that the wall meets the general eligibility for location and meets the criteria for acceptance because it is a historic wall; therefore it is recommended that the application be accepted into the program. *It was moved by Ms. Oberlander, seconded by Mr. Olson and carried unanimously to adopt a resolution to accept the property at 8 Burnham Avenue, Steve & Jan Creger, into the retaining wall program.*

53 Forest Avenue - Kathleen Lane

Mr. Kuchenbecker explained that the retaining wall is to the rear of the property of a contributing structure. He stated that there is little remnant of an original retaining wall remaining and that the sloughing of the hill continues to threaten this historic resource. Mr. Kuchenbecker explained that the wall meets the general eligibility for location and meets the criteria for acceptance; therefore it is recommended that the application be accepted into the program. *It was moved by Mr. Olson, seconded by Mr. Pike and carried unanimously to adopt a resolution to accept the property at 53 Forest Avenue, Kathleen Lane, into the retaining wall program.*

120 Denver Avenue - Sandra Jo Pitt

Mr. Kuchenbecker stated that the wall on the street is located on the property of a non-contributing structure, but is failing and the steps have deteriorated to a condition which Building Official Keith Umenthum declares a life/safety issue. The wall meets the general eligibility for location and meets the criteria for acceptance; therefore it is recommended that the application be accepted into the program. *It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to accept the property at 120 Denver Avenue, Sandra Jo Pitt, into the retaining wall program.*

334 Williams Street - Brad Baucom

Historic Preservation Officer Kevin Kuchenbecker explained that this particular property has already been accepted into the program, but due to a lien on the property the owner was unable to move forward with the project. It is believed that this issue has been remedied and recommends that the application be accepted into the program. *It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to accept the property at 334 Williams Street, Brad Baucom, into the retaining wall program.*

834 Main Street - Ferd Balkenhal

Mr. Kuchenbecker stated that this wall was accepted into the program on May 12, 2005, but no activity has taken place to proceed with the reconstruction of this project. Since that time, the office of Historic Preservation has adopted specific criteria which must be followed to meet state and local regulations; therefore this wall will need engineering and specification to allow the project to be completed. Mr. Kuchenbecker explained that he did not believe that any action needed to be taken by the commission on this issue; he just wanted to provide them with the information.

Ms. Oberlander inquired if there was a time limit to how long a project could be a part of the program and be inactive. Mr. Kuchenbecker stated that he did not believe that there was a time limit once a project had been accepted into the program. Ms. Oberlander stated that she believed that once a wall was accepted into the program, the property owner had one (1) or two (2) years to begin construction. Mayor Toscana did not believe that there was a timeline, but stated that some research should be done. Mr. Kuchenbecker felt that because the issue was unclear, a motion should be made to continue 834 Main Street in the program. *It was moved by Ms. Oberlander, seconded by Mr. Derosier and carried unanimously to adopt a resolution to grant a continuance to 834 Main Street, Ferd Balkenhal, into the retaining wall program.*

Revolving Loan Disbursements:

It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to approve the Historic Preservation Revolving Loan Fund Cash Disbursements Journal totaling \$30,582.96 to the following: Lawrence County Register of Deeds, \$22.00; Missy Morse, \$277.74; One Way Service Pros, \$5,363.52; Drago Cabinets, \$1,128.12; The Mint, \$16,414.96; Royal Electric, \$5,152.62; 2 Eager Beaver Construction, \$848.00; Centennial Electric Inc., \$684.49; Missy Morse, \$201.00; and Mary Canon, \$490.51, as presented.

Monthly Financials Report:

Mr. Kuchenbecker referred the commission to the financial reports for the month of April, 2007 including the Deadwood HP Total Loans; the HP Revolving Loan Fund Balance Sheet; the HP Revolving Loan Fund Statement of Revenue and Expenditures; the Delinquency Report; and, the Pool Trial Balance.

The loan delinquency report consists of The Gillmore.

Retaining Wall Disbursements:

None.

ITEMS FROM CITIZENS NOT ON AGENDA:

None.

COMMITTEE ACTIONS AND REPORTS:

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

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

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
Mr. Kuchenbecker requested permission to purchase space saver shelving, a budgeted item from the Archives line item, in the amount of \$46,754.75. *It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to allow Archives to purchase space saver shelving, a budgeted item, from Haldeman-Homme, as presented.*

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

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

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

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

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

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

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

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

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

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

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

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

Representative to the Days of '76 Board: Commission representative: Steve Olson
No report was given.

Representative to NHS: Commission representative: Willie Steinlicht
No report was given.

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

Historic Preservation Staff:
No additional report was given.

OTHER BUSINESS:
None.

ADJOURNMENT:

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Steinlicht adjourned the meeting at 6:15 p.m.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Heather Pleinis, Recording Secretary