

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, July 9, 2008 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review minutes.
3. Voucher approval.
4. Old Business
 - a. 1938 Switch Engine Loan to Lead Roundhouse – Archives Committee
 - b. 1902 Castin & Blessing Soda Fountain – Loan Request – Matt Ramsey
5. New Matters before the Deadwood Historic District Commission
 - a. 681 Main Street – Alteration – GG&E LLC
 - b. 592-594 Main Street – Re-shingle – Don Nelson
6. New matters before the Deadwood Historic Preservation Commission
 - a. 51 Taylor Avenue – Garage, Deck, Sidewalk, & Remodel – Kris Creger
 - b. 15 Dunlop – Reroofing – Gerald Porter
 - c. 7 Stewart Street – Floor Re-leveling – Ruby Mora
 - d. 4 Sampson Street – (New Construction) Garage – Verna Sandidge
7. Revolving Loan Fund/Retaining Wall Grant Update.
 - a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
8. Items from Citizens not on agenda.
9. Committee Actions and Reports
10. Staff Report
11. Other business
12. Adjournment

CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, July 9, 2008

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

Absent Historic Preservation Commission: None.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, July 9, 2008 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the minutes from June 25, 2008. Aye – All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the HP Operating Account in the amount of \$429,217.87. Aye – All. Motion carried.

OLD BUSINESS

1938 Switch Engine Loan to Lead Roundhouse – Archives Committee

Kevin Kuchenbecker explained that at the last meeting he was directed to contact Boeing Aircraft Museum to see if there was interest in the switch engine. Mr. Kuchenbecker stated he contacted Mr. Dan Eggordorn at the Museum of Flight; he expressed appreciation for the offer but declined.

Mr. Kuchenbecker stated the Archives Committee recommended a modified loan agreement to include Article 9 which makes the “permittee” responsible for transportation of the switch engine.

Mr. M. Olsen questioned if the agreement would need City Commission approval. Mr. Toscana agreed. Mr. Kuchenbecker explained that Historic Preservation would recommend approval of the agreement to the City Commission.

It was moved by Mr. M. Olsen to recommend to the City Commission approval of the loan agreement for the 1938 Switch Engine with the Roundhouse in Lead, SD with the addition of Article 9 addressing transport to and from Deadwood.

Mr. Jason Campbell, City Attorney, stated the motion should also include permission for Mr. Kuchenbecker to sign the loan agreement along with the Mayor.

The motion was amended by Mr. M. Olsen to include permission for Mr. Kuchenbecker to sign the loan agreement with the Mayor and seconded by Mr. Derosier. Aye – All. Motion carried.

1902 Castin & Blessing Soda Fountain – Lease Request – Matt Ramsey

Kevin Kuchenbecker explained that it had been determined by City Attorney, Mr. Jason Campbell that leasing City property was allowed under SDCL, 9-12-5.1. Mr. Kuchenbecker provided written suggestions to the Commission for negotiations with the Lucky Nugget Gambling Hall at 606 Main Street. He stated that the Archives Committee had recommended the following be written in the lease: assembly, removal and transportation costs of the Soda Fountain are to be paid by the lessee; 24-48 hour notice if any damage occurs to the Soda Fountain and said damage cannot be corrected without City approval; and liability insurance be carried on the Soda Fountain.

Mr. M. Olsen questioned Mr. Campbell if a fee must be assessed for the lease. Mr. Campbell explained that the City must charge a fee, for example \$1.00 a year. Mr. Kuchenbecker noted the step lease in the written suggestions was amount based on a five year lease; at five years the amount would be \$75.00 per month.

Ms. Feterl questioned the value of the Soda Fountain. Mr. Kuchenbecker stated to his knowledge the Soda Fountain had not been appraised. Mr. Steinlicht stated he would like the monthly rent amount increased for an opportunity to generate income from the lease. Mr. Pike noted that according to the suggestions, in two years income would be generated.

Mr. M. Olsen suggested Mr. Kuchenbecker and Mr. Campbell negotiate with the owners of the Lucky Nugget Gaming Hall to draft a formal lease agreement for recommendation to the Commissions.

It was moved by Mr. S. Olson and seconded by Mr. Pike to continue this matter until a lease agreement is in place.

Mr. Kuchenbecker explained that Mr. Campbell would be out of the office for three weeks and would like to know if it was the intention of the Historic Preservation Commission to enter in a lease with Lucky Nugget Gambling Hall. He explained that this would then allow the Lucky Nugget Gambling Hall, which is under construction, to plan for the Soda Fountain.

Mr. M. Olsen stated he felt the City should lease the Soda Fountain. Mr. Beroza, representative of the Lucky Nugget Gambling Hall, stated if negotiations were moving towards a lease agreement with the Lucky Nugget Gambling Hall they could move forward with plans for the Soda Fountain in the remodeling project. Mr. Beroza explained that if the Lucky Nugget Gambling Hall is allowed to purchase the Soda Fountain, it would be kept in the City of Deadwood. He explained that the City would benefit because there would no longer be storage fee of the Soda Fountain and noted that he would work with Mr. Kuchenbecker and Mr. Campbell to come to an agreement. Ms. Feterl added that she did not have a problem with what has been presented and a possible option of purchase of the Soda Fountain.

Mr. Steinlicht reiterated that the monthly lease should be at least \$25.00 and the lease should be acted upon soon for the Lucky Nugget Gambling Hall to see any profit due to the lateness in the tourist season.

Mr. Beroza stated installation of the Soda Fountain would not take place until mid-August due to the remodel.

Mr. Deroiser stated that the Historic Preservation Commission was in favor of entering in a lease with Lucky Nugget therefore a motion be made to reflect this. Mr. Pike agreed and suggested that Mr. S. Olsen withdraw his first motion or the Commission vote to turn down the motion. Mr. Pike stated the new motion should enter in agreement in principle, subject to final approval and review of the lease agreement.

Mr. Campbell questioned the ownership of 606 Main Street. Mr. Beroza explained that he was unsure of the ownership agreement; however he would provide that information to Mr. Campbell. Mr. Campbell stated that the agreement would be with Lucky Nugget Gambling Hall, not the owner of the building.

Mr. Toscana stated that a public hearing for the Intent to Lease Public Property must be set prior to the City Commission entering in a lease agreement. This would then lead to a two week delay. Mr. Toscana stated if a recommendation was made from the Historic Preservation Commission, the City Commission could schedule a public hearing at the July 14, 2008 City Commission Meeting.

Aye – None. No - Deroiser, Feterl, Oberlander, M. Olsen, S. Olson, Pike and Steinlicht. Motion denied.

It was moved by Mr. Pike and seconded by Ms. Feterl to recommend to the City Commission to enter in a lease agreement, in principle, and subject to final review of lease agreement for the 1902 Castin & Blessing Soda Fountain with the Lucky Nugget Gambling Hall. Aye – All. Motion carried.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

681 Main Street – Alteration – GG&E LLC

Kevin Kuchenbecker explained that the applicant has requested a Certificate of Appropriateness to remove the awning and add trim boards at 681 Main Street, a contributing structure built in 1940 to the Deadwood National Historic Landmark. He explained that the owner was granted approval for a Certificate of Appropriateness in April of 2008 to recreate the façade of the previous building located at the site; however due to construction delays they were unable to complete the façade because of the peak tourist season. Mr. Kuchenbecker stated the application of the trim boards may be reversed if the reconstruction project not be completed.

Ms. Feterl and Ms. Oberlander questioned how long the trim board would remain on the structure. Mr. Kuchenbecker explained that the trim board was an interim change and a time limit could be placed within the motion. Ms. Feterl questioned the purpose of the trim board. Mr. Kuchenbecker stated that with the removal of the awning, an area would be left exposed and could lead to damage to the existing masonry until the second story was finished. This trim board would prevent any potential damage. Ms. Oberlander and Ms. Feterl stated they felt the picture provided by the applicant did not accurately represent the trim board. Mr. M. Olsen stated the awning displayed the former business name and did not have a problem with the removal of the awning.

It was moved by Mr. Deroiser and seconded by Ms. Feterl to grant a Certificate of Appropriateness to approve the removal of the awning, as presented at 681 Main Street and the applicant work with Mr. Kuchenbecker regarding the use of appropriate trim board, with a time limit of November 1, 2008. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

592-594 Main Street – Re-shingle – Don Nelson

Kevin Kuchenbecker said the applicant has requested approval for a Certificate of Appropriateness to re-shingle the structure located at 560 Main Street. The material will be asphalt and the color will remain the same.

It was moved by Ms. Feterl and seconded by Ms. Oberlander to grant a Certificate of Appropriateness to re-shingle the structure at 592-594 Main Street. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

51 Taylor Avenue – Garage, Deck, Sidewalk, & Remodel – Kris Creger

Kevin Kuchenbecker explained that the applicant is requesting Project Approval to install a new a garage door and sidewalk. The applicant is also proposing expansion to his existing deck and remodeling a bathroom to include a small window.

Ms. Feterl questioned the expansion of the deck and the addition of the window. Mr. Kuchenbecker stated that the structure is non-contributing and has been altered so extensively that it cannot contribute.

It was moved by Ms. Feterl and seconded by Mr. M. Olsen to approve Project Approval for 51 Taylor Avenue as presented. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

15 Dunlop – Reroofing – Gerald Porter

Kevin Kuchenbecker explained that the applicant is requesting Project Approval to re-roof the modular home located 15 Dunlop. He stated the applicant would remove existing shingles and replace with metal roofing materials.

It was moved by Mr. M. Olsen and seconded by Mr. Derosier to grant Project Approval for 15 Dunlop. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

7 Stewart Street – Floor Re-leveling – Ruby Mora

Kevin Kuchenbecker explained that the applicant is requesting Project Approval for floor re-leveling at 7 Stewart Street. He explained that the Contractor stated tuck pointing of the stone foundation and the addition of a metal drip edge to move moisture away from the foundation was also needed to complete this project.

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to grant Project Approval for floor re-leveling, tuck pointing and the metal drip edge at 7 Stewart Street. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit E and incorporated herein by this reference.)

4 Sampson Street – (New Construction) Garage – Verna Sandidge

Kevin Kuchenbecker explained that the applicant is requesting Project Approval for new construction of a garage at 4 Sampson Street. The applicant proposes to build a 30 x32 foot garage with edges of 8 inches deep by 16 inch wide and 9 foot sides. The garage will have an asphalt shingled roof and lap siding to match the house.

It was moved by Mr. Pike and seconded by Mr. M. Olsen to grant Project Approval for the construction of a garage located at 4 Sampson Street. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit F and incorporated herein by this reference.)

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE

Retaining Wall Applications

None.

Revolving Loan Disbursements

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the Revolving Loan disbursements in the amount of \$30,381.07. Aye – All. Motion carried.

Retaining Wall Disbursements

None.

Joy McCracken reviewed the Balance Sheet, Statement of Revenue and Expenditures and the Delinquency Report.

Loan Request

No loan Requests.

ITEMS FROM CITIZENS NOT ON AGENDA:

None.

COMMITTEE ACTIONS AND REPORTS:

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht

Mr. M. Olsen stated that the Archeology Camp had been a success and plans for two camps, one for teen and elementary children were in the works for next year. He noted he attended the picnic and awards presented at the picnic were well received.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike

Mr. M. Olsen stated that Mr. Mike Runge is progressing on Archive projects and added that the committee had reviewed the lease agreements presented.

Budget: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.

Ms. Feterl stated the budget looked good for the year.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike

No report,

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike

No report.

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Mary Ann Oberlander.

2008 Deadwood Outside of Deadwood Grants

Ms. Oberlander presented the following Outside of Deadwood Grants for approval by the Historic Preservation Commission:

Buffalo Gap – Auditorium – Grant amount \$10,000.

It was moved by Mr. M. Olsen and seconded by Mr. Deroiser to approve the Outside of Deadwood Grant for Buffalo Gap Auditorium for the amount of \$10,000. Aye – All. Motion carried.

Civilian Conservation Camp – Visitor Information Center – Grant amount \$25,000 for exhibits only.

It was moved by Ms. Feterl and seconded by Mr. M. Olsen to approve the Outside of Deadwood Grant for Civilian Conservation Camp Visitor Information Center for the amount of \$25,000. Aye – All. Motion carried.

Emmanuel Episcopal Church – Stained Glass Window/Building Repair – Grant amount \$16,000.

It was moved by Mr. Deroiser and seconded by Mr. S. Olson to approve the Outside of Deadwood Grant for Emmanuel Episcopal Church for the amount of \$16,000. Aye – All. Motion carried.

Frawley Ranches, Inc – Anderson House Restoration – Grant amount \$25,000 with a 50 year easement.

It was moved by Mr. M. Olsen and seconded by Mr. Deroiser to approve the Outside of Deadwood Grant for Buffalo Gap Auditorium for the amount of \$25,000 with a 50 year easement. Aye – All. Motion carried.

Keystone Area Historical Society – Keystone Area Historical Museum – Grant amount \$25,000.

It was moved by Ms. Feterl and seconded by Mr. S. Olson to approve the Outside of Deadwood Grant for Keystone Area Historical Society for the amount of \$25,000. Aye – All. Motion carried.

Madison Ranch – Foundation Work – Grant amount \$15,000 with a 50 year easement.

It was moved by Mr. M. Olsen and seconded by Ms. Feterl to approve the Outside of Deadwood Grant for Madison Ranch for the amount of \$15,000 with a 50 year easement. Aye – All. Motion carried.

Tri-State Museum – Military/Black Hills Roundup Exhibits – Grant amount \$4,500.

It was moved by Mr. Deroiser and seconded by Mr. S. Olson to approve the Outside of Deadwood Grant for Tri-State Museum for the amount of \$4,500. Aye – All. Motion carried.

Venerdrye Museum, Inc. – Deadwood Trail Signs – Grant amount \$25,000.

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the Outside of Deadwood Grant for Venerdrye Museum, Inc. for the amount of \$25,000. Aye – All. Motion carried.

Ms. Oberlander explained the application for Iona Community Center had been denied because it did not fit the proper criteria for the grant fund.

2008 Deadwood Not-for-Profit Grants

Ms. Oberlander presented the following Not for Profit Grants for approval by the Historic Preservation Commission:

Deadwood Masonic Temple - Cornerstone Repair & Tuckpointing - Grant amount = not to exceed \$3,500.

It was moved by Mr. Pike and seconded by Mr. M. Olsen to approve the Not-for-Profit Grant for Deadwood Masonic Temple not to exceed \$3,500. Aye – Derosier, Feterl, Oberlander, M. Olsen, and S. Olson. Abstain – Steinlicht. Motion carried.

Ms. Oberlander explained the application for Grace Lutheran Church for floors and pews had been denied because it did not fit the proper criteria for the grant fund.

Mr. M. Olsen stated he would like copies of the reward letters sent to the State Senators and Representatives of the districts of the grantees.

Ms. Oberlander stated that the Grant Committee had received some excellent grant applications this round.

Mr. Kuchenbecker stated a grant extension request for one year had been received from the Little Spearfish Conservation and Historic Preservation Association.

It was moved by Ms. Oberlander and seconded by Mr. M. Olsen to approve the grant extension for one year for the Little Spearfish Conservation and Historic Preservation Association Grant. Aye – All. Motion carried.

Loans: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Darin Derosier.

Loan Committee will meet on Thursday, July 17, 2008.

Adams Museum: Commissioner Mary Ann Oberlander.

Ms. Oberlander noted that the “Deadwood Song Book,” would be recorded at the Lead Opera House on July 11, 2008 for National Public Radio.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.

Mr. Steinlicht reported that the sign ordinance was reviewed at the Chamber meeting and a committee was formed to review and bring forth possible changes for the City to review.

Days of '76: Commissioner Steve Olson.

Mr. S. Olsen reported that the 86th Annual Days of '76 Rodeo will take place on July 22-26, 2008. He added that the Ft. Pierre to Deadwood Trail was progressing and invites have been sent State Governors and Senators of near by states.

Neighborhood Housing Services: Commissioner Willie Steinlicht.

Mr. Steinlicht stated he attended the NHS board meeting and commented that the new facility at 795 Main Street is very nice.

Planning and Zoning: Commissioner Mike Olsen.

No report.

Demolition By Neglect: Commissioner Matthew Pike (chair) and Steve Olson.

No report.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC

No report.

Historic Preservation Staff:

Mr. Kuchenbecker reported on the following:

A letter had been sent to SARC regarding the status of the skeletal remains analysis that was found at Taylor Avenue.

Mr. Kuchenbecker noted that the Historic Preservation Commission had received an award for Merit for Leadership in History from the American Association of State and Local History for the Glass Plate Scenes from the Black Hills Project. The annual meeting will take place in Rochester, New York September 9-12, 2008. Staff is unable to attend due to the out of state travel policy and suggested a Historic Preservation Commissioner and the Mayor attend the conference to accept the award.

Mr. Kuchenbecker noted the copy of *National Alliance of Preservation Commissions Code of Ethics for Commissioners* and Staff and *A Letter to George*, publications for information purposes only. He noted that a Historic Preservation Camp was in the works and will take place this fall.

Mr. Kuchenbecker explained that three firms had submitted RFPs regarding the Architectural Design Guidelines. He suggested forming a committee with Historic Preservation Commission, Planning & Zoning and staff. Ms. Feterl and Mr. Olsen volunteered for the committee.

Mr. Kuchenbecker stated Ms. Virginia Peterson had recently resigned her position with the Historic Preservation Office. The position would be advertised as full-time.

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 5:50 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Deanna Berglund, Acting Recording Secretary