

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, December 10, 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. 360 Main Street - New Construction - B.Y. Development, Inc.
 - b. Alltel Communications, Inc. - Cell Tower Construction - Ralph Wyngarden
5. New Matters before the Deadwood Historic District Commission
 - a. 681 Main Street – Façade Reconstruction – Frontier Club
6. New matters before the Deadwood Historic Preservation Commission
 - a. Engine House Discussion – Kevin Kuchenbecker
 - b. St. Ambrose Master Plan Update – Kevin Kuchenbecker
 - c. Chinatown Archaeological Report Update – Kevin Kuchenbecker
7. Revolving Loan Fund/Retaining Wall Program Update.
 - a. Retaining Wall Applications
 - i. 316 Williams Street – Amy & Pete Kirchhevel
 - ii. 15 Forest Avenue – Ken & Donna Kellar
 - 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

NOTE: *Next regularly scheduled meeting of the Deadwood Historic Preservation Commission will be held on **Tuesday, December 23, 2008** at 5:00 p.m.*

**City of Deadwood
Historic Preservation Commission
Wednesday, December 10, 2008**

Present Historic Preservation Commission: Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson, Matt Pike and Willie Steinlicht. Late: Darin Derosier. 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, December 10, 2008 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Reminder

Chairman, Willie Steinlicht, reminded the press that the next meeting will be on Tuesday, December 23, 2008.

Review Minutes

It was moved by Mr. S. Olson and seconded by Ms. Feterl to approve the minutes from Tuesday, November 25, 2008. *Aye –Derosier, Feterl, Oberlander, S. Olson, Pike and Steinlicht. Abstain – M. Olsen. Motion carried.*

Voucher Approval

Operating Account:

It was moved by Mr. Pike and seconded by Mr. M. Olsen to approve the HP Operating Account in the amount of \$32,874.84. Aye – All. Motion carried.

Bonded Account:

It was moved by Mr. Pike and seconded by Mr. M. Olsen to approve the HP Bonded Account in the amount of \$95,413.87. Aye – All. Motion carried. .

OLD BUSINESS

Move Agenda Item

It was moved by Mr. Pike and seconded by Ms. Feterl to move Item 4a to later in the meeting. Aye – All. Motion carried.

Alltel Communications, Inc. – Cell Tower Construction – Ralph Wyngarden

Mr. Kuchenbecker explained that this item was a continuation of a Project Approval for a cell tower on Deadwood Hill. He said he has received up-to-date photo simulations from the cultural resource manager. Mr. Kuchenbecker went on to explain that this item was continued because of the concern of

visibility from other parts of the historic and landmark districts. He said that the new photo Sims show that the 120' tower located on Deadwood Hill would not be visible. He said he also had conversations with Alltel about masking the tower with a color that blends into the surrounding area, and Alltel has indicated a willingness to do so. Mr. Ralph Wyngarden was available for questions on behalf of Alltel and said the objective is for Alltel to provide seamless coverage going north to the interstate, as well as working on another proposed tower closer to Boulder Canyon to provide continuous coverage to Sturgis. Mr. Wyngarden said that this project has already received a conditional use permit from the Deadwood Planning and Zoning Commission and approval from the Historic Preservation Commission is the last step before going forth for a building permit. He also added that Alltel has a policy of allowing co-location with other providers.

Mr. Kuchenbecker stated that based on the information received, it does not encroach upon, damage or destroy any historic property, nor does it have an adverse effect on the landmark district, and encourages the Commission to work with Alltel to camouflage the tower so that it blends in with its surroundings. *It was moved by Mr. Derosier and seconded by Mr. Pike that based upon all the evidence presented, the finding is that the project does not encroach upon, damage or destroy historic properties, including the National Register of Historic Places; and therefore, grants Project Approval for the Alltel tower as presented, with the condition that they work with Mr. Kuchenbecker regarding camouflaging the tower. Aye – All. Motion carried.*

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

681 Main Street – Façade Reconstruction – Frontier Club

Mr. Kuchenbecker said his office sent the Deadwood Frontier Club a letter notifying them that they had to request an extension on the current façade, as well as provide a timeline for the completion of the proposed façade reconstruction. He said they responded and have asked for a continuation until May 2009 to reconstruct the façade located at 681 Main Street. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to grant a Certificate of Appropriateness extension to the Frontier Club at 681 Main Street until June 1, 2009. Aye – All. Motion carried.*

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

Engine House Discussion – Kevin Kuchenbecker

Mr. Kuchenbecker explained that there was a meeting on Friday, November 21, 2008 with the committee that was appointed to discuss the future of the Engine House. He read specific items that they want considered as covenants or conservation easements should the City decide to surplus the property. He also stated different options that the City could look at regarding the future use of the building, and expressed the committee's concerns of having the meetings open to the public. In addition, Mr. Kuchenbecker said that in June of 2009, Deadwood would be hosting Preservation Leadership Training with part of the training being in the classroom and the other part working on team projects. He said the Engine House could be one of those team projects with their ideas being brought forth to the Commission.

Mr. Chuck Turbiville, Economic Development Director, said he felt the purpose of the committee was to determine the guidelines for Historic Preservation and what is expected of the eventual new owner of the building. He said at this point, he would like the Commission to approve or modify the guidelines and then send them on to the City Commission so they can determine if they still want to declare it surplus.

At that point, it would need to be appraised, which will have to contain all the conditions that are set forth on the building. He said the City could deed the property to Deadwood Economic Development, the same as they did with the grocery store or they may wish to sell it and get it on the tax rolls.

Mr. M. Olsen commended the Committee on all their hard work. Ms. Feterl also commended the Committee and added that public meeting concerns should be honored on this issue. Mr. Pike said the Committee had talked about having a public forum on the issue, but did not know what the time frame should be. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to pass the recommendations on to the City Commission. Aye – All. Motion carried.*

St. Ambrose Master Plan Update – Kevin Kuchenbecker

Mr. Kuchenbecker explained that the Cemetery Committee received an update from Dream Design International, stating that the Master Plan is approximately two-thirds complete. He said the archaeologist, structural engineer and the landscape architect were all present at the committee meeting and gave an overview. He reviewed the maps and explained the recommendation investigation areas, as well as the areas of priority, noting that there has already been some investigation work done with the University of Arkansas. He said Dream Designs will be back on February 4, 2009 with a new report and once that report is received the committee will review it, make comments on it and prepare for public meetings in March or April of 2009. At that time they will have cost estimates which will help determine if the \$1,000,000.00 budgeted from the bonded funds for the restoration and preservation of St. Ambrose Cemetery will be enough or if it will need to be phased in while looking for additional funding.

Chinatown Archaeological Report Update – Kevin Kuchenbecker

Mr. Kuchenbecker said he was pleased to announce that the Chinatown report has been received. He said he has been working on reviewing it for corrections and additions. He also made note of the feature map and encouraged all commissioners to view it, noting the supporting documentation in the form of maps that include profiles, walls, features, etc., which will be extremely valuable for future research. He also stated that above and beyond the report there is a large box that contains all the appendixes, which is the hard copy of the database that lists all the features, what they are, where they were located, etc. He said they would be getting that electronically on an external hard drive, which was part of the project. He also stated that he will be going to Pierre on Friday, December 12, 2009 to the S.D. State Historical Society's Board of Trustees meeting and they will take action to surplus the 600 cubic feet of artifacts that will that will be brought to Deadwood in the next 30 to 45 days. He said he would be coming back with costs on that noting that it will be set up in temporary storage. He said there are plans to remodel a portion of the City Hall basement to be the repository for the archaeological collections. He reminded the Commission that they had gone out for Request for Proposals, which came in at an astronomical cost and they have decided to try and do a design build instead with the hopes of making it a less complex project, but still be a safe and secure location for the artifacts. He said there are two additional collections that will be de-accessioned from SARC and be made part of the Deadwood repository of archaeological collections, so all archaeological collections in the State that have to do with Deadwood that are in public hands will be housed in the basement of Deadwood City Hall. He said this could open up future research and is just the edge of what could be done.

Revolving Loan

Retaining Wall Application – Amy & Pete Kirchhevel – 316 Williams Street

Mr. Kuchenbecker explained that the wall at 316 Williams Street is failing and threatening the contributing resource and Building Inspector, Keith Umenthum, has declared it life/safety. The wall meets the general eligibility for location and meets the criteria for acceptance; however, he is not sure if it will be owner occupied or non-owner occupied, which would determine the formula. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to accept Amy & Pete Kirchhevel at 316 Williams Street into the Retaining Wall Program. Aye – All. Motion carried.*

Retaining Wall Application – Ken & Donna Kellar – 15 Forest Avenue

Mr. Kuchenbecker explained that the walls at 15 Forest Avenue are failing and deteriorating to the point of needed reconstruction and repair. The property is known as “The House of Roses” and is owned by Ken & Donna Kellar. He added that if approved it would be entered into the program as non-owner occupied, but does not yet know what the use of the building will be. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the retaining walls at 15 Forest Avenue into the Retaining Wall Program. Aye – All. Motion carried.* Ms. Feterl stated that the guidelines say that retaining walls on commercial properties are not eligible for the program. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to amend the motion that this property will be moved into the Retaining Wall Program based on the fact that it is not commercial property. Aye – All. Motion carried.*

Loan Approval – Louis and Linda Stojack – 64 Denver Avenue

Mr. Josh Christiansen from Neighborhood Housing Services explained that this is a refinance, which was reviewed by the Loan Committee and received favorable comments. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the loan at 64 Denver Avenue in the amount of \$9,926.50 at 5% interest. Aye – All. Motion carried.*

Loan Approval – Adrian and Annette Hoines – 65 Forest Avenue

Mr. Josh Christiansen explained that his is also a refinance and was also reviewed by the Loan Committee with favorable comments. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the refinanced loan for \$13,115.78 at 5% interest to Adrian and Annette Hoines. Aye – All. Motion carried.*

Disbursements

It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the H.P. Revolving Loan fund disbursements in the amount of \$1,484.75. Aye – All. Motion carried.

Retaining Wall Disbursement

It was moved by Ms. Feterl and seconded by Ms. Oberlander to approve the Retaining Wall disbursement to Lehman Construction for 45-47 Forest Avenue in the amount of \$17,160.00. Aye – All. Motion carried.

Revolving Loan Report

Mr. Christiansen explained the financial report and the delinquency report for Revolving Loan.

Item 4a. 360 Main Street – New Construction – B.Y. Development, Inc.

Mr. M. Olsen and Mr. Steinlicht recused themselves from this portion of the meeting and Vice-Chairman Darin Derosier took over the meeting. Mr. Derosier stated that the Commission received the findings of facts for 360 Main Street. *It was moved by Mr. S. Olson and seconded by Mr. Pike to amend the motion from the last meeting for B.Y Development based on the guidance in the U.S. Department of Interior Standards for Historic Preservation Projects in 36 C.F.R. 67, and the finding is that the project is adverse to Deadwood and denies the project as presented in the findings of facts and inclusions for the Project Approval. Aye – Feterl, Oberlander, S. Olson and Pike. Nay – Derosier. Motion carried.*

Mr. Steinlicht and Mr. M. Olsen returned to the meeting.

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 reminded everyone that next Tuesday, December 16, 2008 at 9:00 am there would be a meeting at SARC with representatives from the Native American Tribes and from the Chinese Community on the fate of the remains that were found on Taylor Avenue.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike
Mr. S. Olson reported that Mike Runge has passed along information on projects that are in progress. He said that some of the databases need to be merged into Past Perfect and someone may need to be hired to merge those databases.

Budget: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht.
Ms. Feterl reported that the Budget Committee would be talking about supplementing the budget at their next meeting.

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.

Ms. Oberlander reported that the Grants Committee met last night and recommends that a grant in the amount of \$3,313.27 be awarded to the Fall River Community Historical Society for an emergency grant to stabilize and repair the foundation of their museum building located in Hot Springs. She said there is a clause in the guidelines that talks about emergencies and this is a worthy project. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the emergency grant in the amount of \$3,313.27 to the Fall River County Historical Society for emergency repair of their museum. Aye – All. Motion carried.*

Ms. Feterl reported that Public Education has recommended the hiring of Suzanne Juline. She said they also talked about the 20th anniversary of gaming.

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

Adams Museum: Commissioner Mary Ann Oberlander.
No report.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.
No report.

Days of '76: Commissioner Steve Olson.
Mr. S. Olson reported on the following:

The Days of '76 was again named the "Medium Outdoor Rodeo of the Year" from the PRCA, and they have received this award nine times out of the last ten years.

The second annual Historic Deadwood Memorabilia and Firearms Auction will be held during Wild Bill Days next year.

He received an email today that the Days of '76 Museum was successful in securing a Save America's Treasures Grant in the amount of \$272,700.00 and most of it will be earmarked for the heating, ventilation and air conditioning systems at the museum.

Neighborhood Housing Services: Commissioner Willie Steinlicht.
No report.

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
Mr. Pike reported that the Policies and Procedures committee met last night and it was a very positive meeting.

Historic Preservation Staff:
Mr. Kuchenbecker reported on the following:

He noted the update from the Deadwood Archives.

He reported that he had sent the Gold Dust Lodging Group a letter regarding the Demolition by Neglect order on the Pineview Building. He said they responded by saying they are hoping to begin in January of 2009. He said the delay was due to meeting with the Gaming Commission.

He introduced guests Jennifer Buddenborg from the Mountain-Plains Regional Office of the National Trust for Historic Preservation in Denver, Colorado, Priya Chhaya and Charlotte Bonini from National Trust for Historic Preservation in Washington, D.C. He explained that they were here on a site visit for Preservation Leadership training. Ms. Charlotte Bonini said it was very exciting to be in Deadwood. She said they will be bringing 42 preservationists for the training next June. She said the days are spent in a classroom setting learning about financing, real estate, organizational development, etc., with the evenings being spent on their team projects. She said they call this "Preservation Boot Camp" because it is very intense and exhausting, but is an amazing experience. She also said the attendees can be preservation architects, planners from other cities across the nation, folks that are already running preservation organizations, etc.

The Symposium dates have been set for May 1-3, 2009. He said most of the speakers have been confirmed with the keynote speaker being Dr. Carlos Schwantes from the University of Missouri in St. Louis.

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 Willie Steinlicht adjourned the meeting at 6:00 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary