

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, January 14, 2009 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review results of phone votes for 12-23-08 meeting
3. Voucher approval.
4. Old Business
5. New Matters before the Deadwood Historic District Commission
 - a. 531 Main Street – Telecommunications Cell Site – I Wireless
6. New matters before the Deadwood Historic Preservation Commission
 - a. 366 Williams Street – Wood Window replacement – Moray Acquisitions
 - b. 7 Spring Street – Doors replacement – Jerry Patton
 - c. 20th Anniversary of HP & Gaming Contract w/ Dr. Suzanne Julin –Kuchenbecker
 - d. Acceptance of Archaeological Collections - Kuchenbecker
 - e. Contract for moving of archaeological artifacts - Kuchenbecker
 - f. Laptop Purchase for Historic Preservation Officer – Kuchenbecker
 - g. Governor’s Conference on Tourism – January 21-22, 2009
7. Revolving Loan Fund/Retaining Wall Program 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, January 14, 2009

Present Historic Preservation Commission: Darin Derosier, Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson, Matt Pike and Willie Steinlicht. 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, January 14, 2009 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Approval of Phone Vote on December 23, 2008 for Bill List and Minutes

Approval of HP Operating Account in the amount of \$18,766.94. Steinlicht, Derosier, Feterl, Oberlander, M. Olsen and Pike - Yes. S. Olson could not be reached.

Approval of minutes from December 10, 2008. Steinlicht, Derosier, Feterl, Oberlander and Pike - Yes. M. Olsen - Abstained. S. Olson could not be reached.

It was moved by Mr. Mike Olsen and seconded by Mr. Derosier to approve the phone vote on December 23, 2008 to approve the minutes from December 10, 2008 and the bills from the H.P. Operating Account in the amount of \$18,766.94. Aye- Derosier, Feterl, Oberlander, M. Olsen, Pike and Steinlicht. Abstained - S. Olson. Motion carried.

Voucher Approval

Operating Account:

It was moved by M. Olsen and seconded by S. Olson to approve the HP Operating Account in the amount of \$251,957.00. Aye - All. Motion carried.

Bonded Account:

It was moved by Derosier and seconded by M. Olsen to approve the HP Bonded Account in the amount of \$87,563.58. Aye - All. Motion carried.

OLD BUSINESS

None.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

531 Main Street – Telecommunications Cell Site – I Wireless

Mr. Kuchenbecker explained the following request as presented in Case No. 09003: The applicant is requesting a Certificate of Appropriateness for a telecommunications cell site for I Wireless at 531 Main Street, a noncontributing structure located in the Chinatown Planning Unit within the City of Deadwood. The building was built in 1992 and because of that is less than 50 years of age and cannot be contributing. The applicant proposes to install two (2) equipment cabinets in the center of the roof on a 10' x 12' steel platform and install three (3) jay beam wireless PCSA090-13 panel antennas on individual Tripod Mounts as submitted. The request has gone through 106 Review through the State Historic Preservation Office. Mr. Kuchenbecker said he met with the applicant who did some alterations to the original size of the awning structures, and with that, as submitted, the proposed project does not encroach upon, damage or destroy any historic property, nor does it have an adverse effect on the National Landmark District, the National or State Historic Register Districts or the Local Historic District. Mr. Scott Goble, representative for the applicant, was present for questions.

Mr. Derosier asked how tall the antennas were, to which Mr. Goble explained that they mount on a tripod-type pipe mount and the top of the antenna and the top of that pipe would be 84" above the roof. He said the antenna itself is 51" tall. Mr. S. Olson questioned the location, asking why an antenna or a cell site would be placed at what is probably the lowest place in the gulch. Mr. Goble said the technical reasons for the locations of these cell sites have to do with the frequency of the operation, which depends on the FCC License. He said their engineer has designed their proposed coverage of Deadwood so that antennas on that building will take care of everything in the valley on the lower end of town. He said they are also pursuing some ideas that he will be back on in the future for a site that would be on the high end of town. He said if they can get those two sites constructed, then they will have adequate coverage for the entire town of Deadwood, which is their primary objective.

Mr. S. Olson asked if there was a reason why this equipment could not be co-located with some of the existing cell services. Mr. Goble said their primary goal when designing a network is to work closely with Alltel and Verizon; however, where they are located will not meet the coverage objectives based on their system. He said 531 Main Street was the best location for their engineer to meet his coverage objectives. Mr. S. Olson said there was also one on top of the slag pile in Lead, SD, to which Mr. Goble said he looked at that tower and found that it was a County Emergency Tower and was told by the county and the mining company that that tower could only be used for emergency services.

Mayor Toscana said that to his knowledge there is the potential of another tower going up somewhere in Lead. Mr. Goble said they are looking at two different sites there also, with one at the Opera House and one at the existing Verizon tower, but noted that there is nothing in Lead that would meet their coverage objectives for Deadwood. Mr. S. Olson asked if their equipment could be located by the tower that is proposed by Alltel/Verizon on the lower end of the water tower, to which Mr. Goble said again it would not meet their coverage objectives based on their system. Mr. Pike asked Mr. Goble if when they are looking at co-locating on somebody else's tower, if they are told that they cannot go above a certain height because they have reserved the first 15' or 20', which therefore impacts their ability to make a determination with the engineer as to whether or not it will meet their coverage objective. Mr. Goble said that does sometime happen.

Mr. S. Olson asked Mr. Goble if the FCC has approved the proposed location, to which Mr. Goble said that has not yet been filed, because they have several other regulatory hoops to jump through if and when this request is approved.

It was moved by Mr. Derosier and seconded by Mr. Pike that based upon the evidence presented, the finding is that the proposed project does not encroach upon, damage or destroy any historic property within the National Register of Historic Places and therefore; moves to grant a Certificate of Appropriateness. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

366 Williams Street – Wood Window Replacement – Moray Acquisitions

Mr. Kuchenbecker explained that the applicant is requesting Project Approval to replace a kitchen window at 366 Williams Street, a contributing structure located in the Forest Hill Planning Unit of the City of Deadwood, which was constructed in 1905. He said the applicant is proposing to replace the kitchen window at the rear of the structure with a new double-hung wood window with exterior trim matching the original windows. The existing window is a later addition or a replacement window on the contributing resource. He stated that as submitted the proposed project does not encroach upon, damage or destroy any historic properties nor does it have an adverse effect on the Deadwood National Historic Landmark District or the National or State Historic Register Districts. ***It was moved by Ms. Feterl and seconded by Mr. M. Olsen that based upon the evidence presented, the finding is that the proposal does not encroach upon, damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places; and therefore, grants Project Approval for 366 Williams Street as presented in Case #09002. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Steinlicht. Abstained: Pike. Motion carried.*** (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

7 Spring Street – Door Replacement – Jerry Patton

Mr. Kuchenbecker explained that the applicant is requesting Project Approval to replace French doors with sliding patio doors in the same openings at 7 Spring Street, a noncontributing structure located in the Large's Flat Planning Unit of the City of Deadwood, which was constructed in 1988. He said that as submitted the proposed work and changes do not encroach upon, damage or destroy any historic properties nor does it have an adverse effect on the Deadwood National Landmark Historic District or the National or State Historic Register Districts. ***It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the project as submitted, as the work does not change, encroach upon, damage or destroy any historic properties, nor does it have an adverse effect on the Deadwood National Landmark Historic District. Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

20th Anniversary of HP & Gaming Contract w/Dr. Suzanne Julin

Mr. Kuchenbecker noted the memorandum which outlines the proposed contract with Dr. Suzanne Julin. He said the Public Education, Grants, Advocacy and Recognition Committee recommend approval to enter into a contract with Dr. Julin to develop a written history to be used in preparation of acknowledging and celebrating the 20th anniversary of gaming and historic preservation in Deadwood. He went on to say that it would be a 40- to 50-page document with the cost being \$4,000.00 including all expenses and

materials, and that at the conclusion of the project all research materials would be donated to the Deadwood Historic Preservation Office for its Archive division. *It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the expenditure of \$4,000.00 to enter into a contract with Dr. Suzanne Julin to research the first 20 years of gaming and historic preservation in Deadwood. Aye – All. Motion carried.*

Acceptance of Archaeological Collections

Mr. Kuchenbecker explained that the South Dakota State Historical Society has de-accessioned and assigned to the Deadwood Historic Preservation Commission several archaeological collections. He said he would like to have on record that the archaeological collections have been accepted into the care of the City of Deadwood's Historic Preservation Commission and that proper stewardship of the records will begin. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to accept the archaeological collections as documented in the memorandum dated January 7, 2009. Aye – All. Motion carried.*

Contract for Moving of Archaeological Artifacts

Mr. Kuchenbecker explained that with the de-accessioning and the acceptance of the archaeological collections, he is looking at approximately 660 cubic feet of boxes and three-dimensional artifacts. He explained that City Archivist, Mike Runge, and himself were in Rapid City going over the details. He said they did receive a quote from Green's Moving & Storage, Inc. who was involved with moving the Homestake Collection to the HARC Building through the Adams Museum. He said it is guaranteed not to exceed \$1,575.00 and recommends approval. *It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the contract with Green's Moving & Storage, Inc., not to exceed \$1,575.00, which will be paid from the Archaeology Budget to move the archaeological collections from the State Archaeological Resource Center in Rapid City, SD to Deadwood City Hall. Aye – All. Motion carried.*

Laptop Purchase for Historic Preservation Officer

Mr. Kuchenbecker explained that on December 17, 2008 all eight of the USB ports quit working on the desktop computer in his office. He said there is no longer a warranty and Golden West said the main board would need to be replaced and it would not be worth the efforts to fix the aging computer. He said that last year in 2008 there was \$2,500.00 budgeted for equipment, which was not used and he would like to use those unencumbered funds from the 2008 budget. He said this laptop has several bells and whistles to run the heavy graphics that the office uses, from GIS to Photoshop. *It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the purchase of a laptop, not to exceed \$2,500.00. Aye – All. Motion carried.*

Governor's Conference on Tourism – January 21-22, 2009

Mr. Kuchenbecker informed the Commission of the dates of the Tourism Conference, which are January 21-22, 2009.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Retaining Wall Applications

None.

Revolving Loan Disbursements

It was moved by Ms. Feterl and seconded by Mr. M. Olsen to approve the Revolving Loan Disbursements in the amount of \$4,513.87. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Steinlicht. Mr. Pike recused himself from the vote. Motion carried.

Revolving Loan Request

Ms. McCracken explained that Ron Russo is on an annual review and has submitted final documents. She said she reviewed them and said that he has made steady improvements. She also said this was reviewed and approved by the Loan Committee with favorable comments. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the loan renewal for Ron Russo at 628 Main Street. Aye – All. Motion carried.*

Ms. McCracken reviewed the delinquency report.

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
No report was given.

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
Mr. Derosier reported that attendance at the Chamber mixers has been down and encouraged everyone to attend those. He also reported that they talked about the Winter Campaign.

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
Mr. Mike Olsen reported that Planning and Zoning approved three signs for Cadillac Jack's, as they are changing the diner to a Sports Café. He also reported that the Planning and Zoning Commission and the Board of Adjustments approved a Conditional Use Permit for Liberty Madison to have a massage therapy at 652 Main Street.

Historic Preservation Staff:
Kevin Kuchenbecker reported on the following:

Made note of the memo from Mike Runge that a report was received from Dr. Sheila Fairbrass Seigler regarding the Archival Collections. He said it would help with budgeting and organizing a five-year plan for the Archives. He said it is an excellent report and it will help the Historic Preservation Office prioritize and budget for the Archives.

Noted the press release where True West Magazine honored Deadwood as #6 in the top 10 True Western Towns.

Made note of Mike Runge's monthly report.

Reported that Mike Runge and himself were at SARC and hopefully with the approval of the City Commission they can arrange for the collections to be brought to City Hall and placed in temporary

storage where the Adams Museum had their collections in the basement. He said then they can work on a permanent remodel for the basement for those archaeological artifacts.

Reported that he met with Lund and Associates along with representatives of the owners of the Slime Plant, noting they should see some final designs on the hotel and parking garage within the next 60 to 90 days.

Noted that he had conversations with the owners of the Pineview. He reminded the Commission that they said they were going to start by the end of December or mid-January, but they are still trying to determine the best structural way to fix the foundation.

OTHER BUSINESS:

National Trust for Historic Preservation Training

Mr. Kuchenbecker reminded the Commission that they budgeted and approved Deadwood hosting Preservation Leadership training, which will be in June. It will bring approximately 42 preservationists from around the country. He also said there will be an annual conference, which will be in Nashville in 2009. He said he cannot travel in 2009 due to City Ordinance, but encouraged someone from the Commission to attend.

Ms. Feterl asked if the Gateways to Deadwood could be a project for the preservation training, but Mr. Kuchenbecker said they would rather have direct preservation type projects. He said they looked at cleaning up the entranceways and gateways and how that effects a community, but they have settled on the Engine House, which has been a main topic for many years.

Archives Proposal

Ms. Feterl asked about the proposal from Dr Seiglar, wondering if the treatment procedures that she recommends would be out of the realm of Mike Runge's capabilities. Mr. Kuchenbecker said the challenge is not necessarily the skill set, but the amount of projects there are for the limited staff. He said Mike does an excellent job with volunteers and interns, but there is more work than they have bodies for.

Mr. M. Olsen said he understood Ms. Feterl's concern about the financing. She said it is "mind boggling" when one item is close to \$12, 000.00. Mr. Derosier said that the time may come when some of these items may have to be donated or given to other museums who can care for it.

Rand Williams

Ms. Feterl asked City Attorney, Jason Campbell, where things stood with Rand Williams. Mr. Campbell said he needed to get more information to Mr. Williams to refresh his memory as to what was agreed to.

Executive Session

Mr. Campbell requested a brief executive session regarding legal matters with no action to be taken.

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 5:40 pm.

ATTEST:

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