

**DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, March 09, 2011 ~ 5:00 p.m.**

City Hall, 108 Sherman Street, Deadwood, South Dakota

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1. Call meeting to order– Chair Darin Derosier
2. Approval of Minutes
3. Voucher Approval
4. Old or General Business
  - a. Painting of Deadwood Prostitutes Project – Karen Everett – Deadwood Lead Arts Council
5. New Matters before the Deadwood Historic District Commission
6. New Matters before the Deadwood Historic Preservation Commission
  - a. Case# 11008 – 21 Lincoln Avenue – Windows/Doors – Dustin & Laura Floyd
  - b. Special Needs – Wood Windows – 21 Lincoln – Dustin & Laura Floyd
  - c. Special Needs – Elderly Homeowners – 51 Van Buren Ave – Larry & Marcella Shama
  - d. Deadwood Cannon Project – Transcription of Documents – HP Office
  - e. Permission for a HPC Commissioner to attend AASLH Seminar – HP Office
  - f. Loan Agreement – Hickok Traveling Exhibit – HP Office
  - g. Grant Extension Request – Community Archives Coalition
7. Revolving Loan Fund/Retaining Wall Program Update
  - a. Retaining Wall Applications
  - b. Revolving loan Program/Disbursements
  - c. Retaining Wall Program/Disbursements
8. Items from Citizens not on agenda (*Items will be considered but no action will be taken at this time.*)
9. Staff Report (*Items will be considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other business
12. Adjournment

**CITY OF DEADWOOD**  
**HISTORIC PRESERVATION COMMISSION**

**Wednesday, March 9, 2011**

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

**Late:** Darin Derosier.

**Absent Historic Preservation Commission:** None.

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**All motions passed unanimously unless otherwise stated.**

A quorum being present, Vice-Chairman Ronda Feterl called the Deadwood Historic Preservation Commission meeting to order on Wednesday, March 9, 2011 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

**Approval of Minutes**

*It was moved by Mr. Steinlicht and seconded by Mr. Pike to approve the minutes of Wednesday, February 23, 2011. Mr. S. Olson asked for a change on page 3, the first paragraph. He said where it states imitates, it should state indicates. The change will be made in the official minutes. Aye – All. Motion carried.*

**Voucher Approval**

Operating Account:

*It was moved by Mr. M. Olsen and seconded by Ms. Oberlander to approve the HP Operating Account in the amount of \$99,229.01. Aye - All. Motion carried.*

Bonded Account:

*It was moved by Mr. S. Olson and seconded by Mr. Steinlicht to approve the HP Bonded Account in the amount of \$170,965.24. Aye – All. Motion carried.*

**OLD OR GENERAL BUSINESS**

**Painting of Deadwood Prostitutes Project – Karen Everett – Deadwood-Lead Arts Council**

Karen Everett from the Deadwood-Lead Arts Council appeared before the Commission and said they have come across a very fun and compelling art project and wanted to inform the Commission as to what has been taking place. She introduced Mr. Ben Humphrey, who displayed five paintings of a project he has been working on. Mr. Humphrey said he stumbled upon some black and white photos from the Adams Museum of prostitutes in Deadwood and felt their story needed to be told and therefore started his

painting project. Mr. Humphrey said while the photos were in black and white he incorporated color to the paintings and changed the faces of the women slightly so as not to be recognized. Ms. Feterl asked which era of time the photos were from to which Mr. Humphrey said they were from the late 40s to early 50s.

Ms. Everett said seeing the progression of the paintings has been very interesting. She noticed when people would come in and see the paintings they became interesting conversation pieces. Mr. Humphrey said he would like to put 10 of the paintings together and do a historical show with the Arts Council. Ms. Everett said they have been in contact with Mary Kopco from the Adams Museum to possibly come up with a travel exhibit. She said they have also talked with Michael Trump who wrote the book about the ladies in "Raiding Deadwood's Bad Lands" who said he would be more than happy to write a narrative to go with each painting.

Ms. Everett said this project is still in the planning stages, but wanted the Commission to know what they are working on and wanted to know if they were interested in the direction it was going. She also said there has never been an exhibit of this kind done before. Mr. Kuchenbecker said the Arts Council will be putting together a proposal and will be back before the Commission for funding at a later date. The Commission agreed they thought the paintings told a good story and thought Mr. Humphrey did a great job with detail.

**Mr. Derosier joined the meeting at this time and took over as Chairman.**

**NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION**

None.

**NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Case #1100 – 21 Lincoln – Windows/Doors – Dustin & Laura Floyd**

Mr. Kuchenbecker explained the applicants have been before the Commission on prior occasions for the ongoing rehabilitation of this resource. The applicants are asking for Project Approval for work at 21 Lincoln Avenue, a contributing structure located in the Ingleside Planning Unit in the City of Deadwood, which was constructed in 1903. They are requesting to repair and/or replace ten (10) existing wood windows and replace the existing vinyl storms with wood storm windows. Additionally, the applicants intend to restore a wooden storm door discovered in the basement of the residence. This project also qualifies for the Wood Window Program. *It was moved by Mr. M. Olsen and seconded by Mr. Pike, that based upon all the evidence presented the finding is that this project 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. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

*It was further moved by Mr. M. Olsen and seconded by Mr. S. Olson to place the applicants, Dustin and Laura Floyd, at 21 Lincoln Avenue into the Wood Windows and Doors Program. Aye – All. Motion carried.*

**Special Needs – Elderly Homeowners – 51 Van Buren Avenue – Larry & Marcella Shama**

Mr. Kuchenbecker explained the homeowners are requesting permission to enter into the Special Needs/Elderly Homeowners Program to assist in the replacement of an existing boiler used as a primary heat source at 51 Van Buren Avenue. He said the applicant meets the criteria and requirements for the program. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson, that based upon all the evidence presented, acceptance is granted to Larry and Marcella Shama into the Revolving Loan Fund, Special Needs/Elderly Homeowners Program for replacement of the boiler to protect the historic resource located at 51 Van Buren Avenue. Aye – All. Motion carried.*

**Deadwood Cannon Project – Transcription of Documents – HP Office**

Mr. Kuchenbecker explained this is a request for the transcription of Spanish documents. He said they have received eighty-five (85) historical documents from the Ministry of Defense, Navy General Archive and the Navy History and Culture Institute in Spain, which documents the cannon on display in front of what is now the Deadwood Elementary School for many, many years. He said they are working on interpretation of the historical artifact and are requesting permission to enter into a contract with Delfina Diem from Alto, New Mexico for the transcription of 85 documents pertaining to the cannon. Ms. Diem is a Spanish-to-English court interpreter for the states of Arizona, California, and New Mexico and is well versed in both verbal and written Spanish language.

Ms. Feterl asked how the cannon arrived in Deadwood, to which City Archivist Mike Runge said it was a very exciting and wonderful story. He said the cannon arrived in Deadwood from the Manila Philippine Islands. It was captured during the Spanish/American War and said the interesting part of the story is different cities throughout the United States had the ability to go through their Congressional Delegates to get items confiscated during the war. He said in May of 1899, businessmen in Deadwood held a meeting along with Sol Star to come up with arrangements for their upcoming July 4<sup>th</sup> celebration when a man by the name of Judge Burns said he heard the United States was handing out cannons from the war and wondered if Deadwood would be interested. They were very interested, and as far as Mr. Runge can tell this cannon is the only one in the State of South Dakota, which makes it very unique in itself. He added very little is known about this piece of artillery; however, the transcription of these documents will provide a complete history of the cannon.

Mr. Runge further explained the history of the cannon arriving in the United States and eventually to Deadwood has been chronicled. The information includes how and why the cannon was manufactured in the first place. It includes information from 1861 when Queen Isabella II actually ordered a royal decree for the creation of this and seven other cannons. *It was moved by Mr. M. Olsen and seconded by Ms. Oberlander to recommend to the City Commission to enter into a contract with Delfina Diem in an amount not to exceed \$2,500.00 to translate the documents from Spain. Aye – All. Motion carried.*

**Permission for HP Commissioner to attend AASLH Seminar – HP Office**

Mr. Kuchenbecker explained the City Archives is requesting permission to send one representative from the Historic Preservation Commission to the American Association for State and Local History (AASLH) seminar scheduled for April 14, 2011 in Nashville, Tennessee. He reminded the Commission during the summer of 2010 they collected 220 pedestrian surveys at Mt. Moriah Cemetery. He went on to explain the Visitors Count! Program will bring all the participants to Nashville to go over the surveys as a group. The results will give direction to help the City of Deadwood better manage and interpret the Mt. Moriah Cemetery and Visitor Center. Due to travel arrangements neither Mike Runge nor Kevin Kuchenbecker

are able to attend the seminar, so the AAA Committee is recommending the Commission allow Mr. Mike Olsen to travel to the seminar and bring back the information. ***It was moved by Mr. Steinlicht and seconded by Ms. Feterl to recommend to the City Commission to allow Mr. Mike Olsen to attend the seminar hosted by the American Association for State and Local History from April 13 through 15, 2011 and allow expenditures in an amount not to exceed \$798.30.*** Mr. Derosier asked if the \$798.30 would be enough as the cost of the flight may be higher. ***Mr. Steinlicht amended his motion and Ms. Feterl seconded for the amount of expenses not to exceed \$1,000.00. Aye – All. Motion carried.***

#### **Loan Agreement – Hickok Traveling Exhibit – HP Office**

Mr. Kuchenbecker explained the 1881 Custer County Courthouse Museum has requested permission to display the seven-panel James Butler Hickok Traveling Exhibit from May 9, 2011 to October 15, 2011. This has been reviewed by the AAA Committee which recommends approval. Ms. Feterl asked if #15 in the agreement which states they must have a minimum insurance policy of \$1,000.00 is high enough. Mike Runge said originally the agreement required a minimum of \$100,000.00 which was too high. He said he reduced it to \$1,000.00 because everything in the exhibit, with the exception of the frames and glass, are all reproductions and if there was any damage done it would go to the frames. He said the frames currently being used are recycled. ***It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the loan of the Hickok Exhibit to the 1881 Custer County Courthouse Museum from May 9, 2011 to October 15, 2011. Aye – All. Motion carried.***

#### **Grant Extension Request – Community Archives Coalition**

Mr. Kuchenbecker said this request has been approved by the G.R.A.P.E. Committee. This is for the Community Archives Project being administered by the Rapid City Public Library. He said they received a grant from the Deadwood HPC and are asking for an extension to September 1, 2011. ***It was moved by Ms. Feterl and seconded by Ms. Oberlander to allow the extension for the Community Archives Coalition as presented. Aye – All. Motion carried.***

### **REVOLVING LOAN FUND/RETAINING WALL PROGRAM UPDATE**

#### **Retaining Wall Applications**

None.

#### **Revolving Loan Program/Disbursements**

***It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen to approve the Revolving Loan Fund cash disbursements in the amount of \$27,747.00. Aye – All. Motion carried.*** (Mr. Pike recused himself from this portion of the meeting.)

#### **Retaining Wall Grant Disbursement**

None.

#### **Financial and Delinquency Report**

Ms. McCracken reviewed the financial and delinquency reports.

#### **Loan Request – Northern Hills Alliance for Children**

Due to conflict of interest, Ms. McCracken stepped aside and Josh Christensen took over this portion of the meeting. (Ms. McCracken serves on the board for the Northern Hills Alliance for Children.) Mr. Christensen explained on July 28, 2010 this request was brought before the Commission requesting third position for \$50,000.00, which was approved with favorable comments. Since that time, The West River Foundation of Lawrence County decided they would not relinquish third position. Therefore, Northern Hills Alliance went back to the drawing board to come up with a way for this to work for all parties involved. They went to the Vucurevich Foundation and asked them to guarantee \$25,000.00 of the \$50,000.00 if the Deadwood Historic Preservation Commission would take fourth position. Mr. Derosier said he felt that being in fourth position with a guarantee of \$25,000.00 is actually better than sharing third position with no guarantee. *It was moved by Ms. Feterl and seconded by Mr. M. Olsen to rescind the motion that was given to Northern Hills Alliance for Children on July 28, 2010 for the amount of \$50,000.00 in third position. Aye – All. Motion carried.*

*It was further moved by Ms. Feterl and seconded by Mr. Pike to allocate \$50,000.00 to The Northern Hills Alliance for Children, knowing that HPC is moving from third position to fourth position only because of the \$25,000.00 that is guaranteed with the Vucurevich Foundation. Aye – All. Motion carried.*

**ITEMS FROM CITIZENS NOT ON AGENDA** *(Items will be considered, but no action will be taken at this time.)*

**Tom Blair – Highway Project – Highway 85, Cemetery Street to Highway 385 Intersection**

Tom Blair appeared before the Commission on behalf of a group of concerned citizens, stating that last fall there was a meeting at The Lodge with the Department of Transportation regarding the Highway 85 Project. He said it was well attended and a lot of questions were asked, but felt many were unanswered. He said a number of citizens then wrote letters to the DOT expressing their concerns. He also said since then a group of people got together and drafted a resolution. The group is requesting support from the HPC Commission, and if they so choose to support the resolution, they would ask that it then be sent on to the Deadwood City Commission with a recommendation for passage.

Mr. Blair stated the group understands Deadwood needs to grow and is in favor of most of the project, but feels part of the project needs to be reconsidered, especially in the residential areas. Mike Guilbert added they are asking for support from the HPC because of the historic integrity of the neighborhoods. Mayor Toscana clarified the HP Commission has no jurisdiction, but said if they feel the aesthetics of the residential area needs to be maintained, their support along with the Deadwood City Commission would give additional credibility. Mayor Toscana further stated this is not meant to become a contentious issue, but felt with Deadwood about to celebrate their 50<sup>th</sup> anniversary as a Historic Landmark parts of the project need to be changed to maintain the historic integrity. He also felt the State needs know their work on this project is appreciated.

After much discussion, Mr. Kuchenbecker said there has been a lot of excitement about this project and possibly some misinformation. He said he will write a letter to the State asking that HPC be a consulting party under Section 106. The Concerned Citizens Group will bring forth the resolution in the next couple of weeks.

**Historic Preservation Staff Report:** Kevin Kuchenbecker, HP Officer; Michael Runge, Archivist; Deanna Berglund, Administrative Assistant; Virginia Peterson, Administrative Assistant.

Mr. Kuchenbecker reported on the following:

The City of Deadwood, the Historic Preservation Office and the Adams Museum and House hosted National History Day. There were about 50 students and it went very well. They will be sending some local students and well as some students from Spearfish to Brookings in April for a National History Day competition.

April Gregory, the new part-time Assistant Archivist, will start on March 15, 2011.

Last week there was a Cemetery meeting at Mt. Moriah. They had an opportunity to look at the Mt. Moriah House remodel which is going quite well.

The Days of '76 Museum project is coming along very well.

The recommended scholarship recipient will be forthcoming.

The Symposium is scheduled for May 13 and 14, 2011 and plans are going well.

Construction at Deadwood Mountain Grand is going very well. The opening is scheduled for July.

House Bill 1099 was signed by the Governor.

### **Committee Actions and Reports**

Grants, Recognition & Advocacy: Commission representatives: Ronda Feterl, Willie Steinlicht and Mary Ann Oberlander.

No report.

Archaeology, Archives & Acquisitions: Commission representatives: Mike Olsen, Willie Steinlicht and Steve Olson.

No report.

Budget: Commission representatives: Ronda Feterl, Darin Derosier Matt Pike.

No report.

Cemetery/GIS: Commission representatives: Steve Olson, Mary Ann Oberlander and Mike Olsen.

No report.

Demolition by Neglect: Commission representatives: Mike Olsen, Steve Olson and Matt Pike.

No report.

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

No report.

Policies & Procedures: Commission representatives: Entire HPC.

No report.

Adams Museum: Commissioner Mary Ann Oberlander.

No report.

Chamber of Commerce: Commission representatives: Darin Derosier and Willie Steinlicht.

Mr. Derosier said the Chamber will be having a banquet for the first time in three years on May 9<sup>th</sup>, 2011.

Days of '76: Commissioner Mike Olsen.

No report.

Neighborhood Housing Services: Commissioner Steve Olson.

No report.

Planning and Zoning: Commissioner Mike Olsen.

Mr. M. Olsen reported Planning and Zoning approved a sign at American West Gallery at 134 Sherman Street; 3'6" x 4', projecting sign, no variance.

**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 Derosier adjourned the meeting at 6:10 pm.

ATTEST:

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Darin Derosier  
Chairman, Historic Preservation Commission  
Ronda Morrison, Recording Secretary