

DEADWOOD HISTORIC PRESERVATION COMMISSION

Tuesday, April 13, 2010 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order– Chair Darin Derosier
2. Approve Minutes
3. Voucher approval
4. Old or General Business
5. New Matters before the Deadwood Historic District Commission
 - a. Case# 10011– 555 Main Street– Fencing– Donnie Patton/David Bradsky
6. New matters before the Deadwood Historic Preservation Commission
 - a. Case# 10013– 10 Centennial– Re-Roofing/Wood Repair– David Bosch
 - b. Case# 10014– 10 Centennial– General Maintenance/Wood Repair– David Bosch
 - c. Cemetery Headstone Grant Application# 10002 No Name Fee Lee Wong Child
 - d. Cemetery Headstone Grant Application# 10003– No Name Fee Lee Wong Child
 - e. Outside of Deadwood Grant Extension– Fall River Co. Historical Society
 - f. 2010 Historic Preservation Scholarship– Selection Approval– GRAPE Committee
 - g. Mountain-Plains Museum Assoc. Conference– Sponsorship Request– Jay Vogt
 - h. Loan Agreement #2010-01 and #2010-02 Hickok Traveling Exhibit– Mike Runge
 - i. Permission for GIS Training– K. Kuchenbecker, Virginia Peterson, Bob Nelson, Jr.
 - j. South Dakota State Historical Society Annual Conference – HPC Attendance
7. Revolving Loan Fund/Retaining Wall Program Update.
 - a. Retaining Wall Applications
 - i. 80 Williams Street – David Thompson
 - b. Revolving loan Program/Disbursements
 - c. Retaining Wall Program/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

Tuesday, April 13, 2010

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

Absent Historic Preservation Commission: Ronda Feterl and Matt Pike.

Present Deadwood City Commission: Mayor Francis Toscana and Commissioners Georgeann Silvernail and Leonard Schroeder.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Darin Derosier called the Deadwood Historic Preservation Commission meeting to order on Tuesday, April 13, 2010 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

Ms. Oberlander stated that she wanted the minutes from March 24, 2010 changed, as she did not vote one way or the other on either of the motions regarding the parking garage. She further stated that she should have abstained, but did not; therefore, the vote should not be Aye – All. *It was moved by Mr. Steinlicht and seconded by Mr. S. Olson to approve the minutes from Wednesday, March 24, 2010 with the requested changes. Aye – Derosier, Oberlander, S. Olson and Steinlicht. Abstain – M. Olsen. 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 \$59,972.92. Aye - All. Motion carried.

Bonded Account:

It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the HP Bonded Account in the amount of \$11,375.90. Aye – All. Motion carried.

OLD OR GENERAL BUSINESS

None.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

Case #10011 – 555 Main Street – Fencing – Donnie Patton/David Bradsky

Mr. Kuchenbecker explained that the applicant has submitted an application for a Certificate of Appropriateness for work in the Tin Lizzie Parking Lot, which is located next to a contributing structure located in the Chinatown Planning Unit in the City of Deadwood. The applicants are requesting permission to install a 48" high fence to match the existing perimeter of the parking lot as submitted. The proposed new fence will run approximately 180 feet by 80 feet along the lot lines. Additionally, the applicant requests permission to remove the existing valet shack which has no historical significance. The proposed work and changes DOES NOT encroach upon, damage or destroy a historic resource nor does it have an adverse affect on the character of the building or the historic character of the districts. *It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht 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 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

Case #10013 – 10 Centennial – Re-Roofing/Wood Repair – David Bosch

(Mr. Kuchenbecker noted that Case #10012 will be forthcoming, but it needs to go before Planning and Zoning first.) Mr. Kuchenbecker explained that the applicant is requesting Project Approval for work at 10 Centennial, a noncontributing structure located in the Forest Hill Planning Unit in the City of Deadwood, which was constructed circa 1983. The applicant requests permission to replace the roof of the structure on the rear-facing portion of the home with dark brown steel. Additionally, the applicant requests permission to replace the dry, rotten wood where necessary. There will be no change to the exterior appearance of the home except for the use of the steel roofing. The proposed work and changes DOES NOT encroach upon, damage or destroy a historic resource, nor does it have an adverse affect on the character of the districts. Mr. Derosier asked if the Commission needed to be concerned as to whether or not the applicant is in compliance with all city ordinances, to which Mr. Kuchenbecker said that is outside of the jurisdiction of the Historic Preservation Commission. He added that the HP Commission could act on it, but it would be at the discretion of the Deadwood City Commission to issue a building permit. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson that based upon all the evidence presented, the finding is that this project DOES NOT encroach upon, damage or destroy any historic properties 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 B and incorporated herein by this reference.)

Case #10014 – 10 Centennial – General Maintenance/Wood Repair – David Bosch

Mr. Kuchenbecker explained that the applicant is requesting an additional Project Approval for work at 10 Centennial. The applicant requests permission to rebuild the front exterior wall of the structure. This will fix severe dry rot that is a result of a leaky roof. He would also like to rebuild the roof on the front part of the house and add a doorway for emergency egress. The proposed work and changes DOES NOT encroach upon, damage or destroy a historic resource, nor have an adverse affect on the character of the building or the districts. Mr. Derosier said according to the pictures it looks as if the work is already in progress, but Mr. Kuchenbecker said the pictures are of work on the deck that was already approved. Ms. Oberlander asked what type of roofing he is placing on the front of the structure, to which Mr. Kuchenbecker said he thought it would be asphalt shingles, but would make sure to clarify in the approval letter that if there are any changes other than what is in the request, he will need to come back to the

Commission for approval. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen 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 C and incorporated herein by this reference.)

Cemetery Headstone Grant Application #10002 – No Name Fee Lee Wong Child

Mr. Kuchenbecker explained that the request is from Edith and Beatrice Wong and the Cemetery Committee recommends approval. *It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve the Cemetery Headstone Grant Application #10002 for No Name Fee Lee Wong Child and also accepts Edith Wong's recommendation that this child be listed as an infant since it was only one month old at the time of death. Aye – Derosier, M. Olsen, S. Olson and Steinlicht. Abstain - Oberlander. Motion carried.*

Cemetery Headstone Grant Application #10003 – No Name Fee Lee Wong Child

Mr. Kuchenbecker explained that this is a second request from Edith and Beatrice Wong and the Cemetery Committee recommends approval of this application as well. He also added that he is working with Deadwood Granite & Marble Works so that these requests can be completed by the end of July in time for the Wong Family Reunion. *It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen to accept the Cemetery Headstone Grant Application #10003 for No Name Fee Lee Wong Child and also accepts Edith Wong's recommendation that this child be listed as a child as it was 11 months old at the time of death. Aye – Derosier, M. Olsen, S. Olson and Steinlicht. Abstain – Oberlander. Motion carried.*

Outside of Deadwood Grant Extension – Fall River Co. Historical Society

Mr. Kuchenbecker explained that the Fall River County Historical Society is requesting a six-month extension until September 30, 2010 for the 2009 Outside of Deadwood Grant. This is for ongoing rehabilitation of the archive room in the Pioneer Museum. The GRAPE Committee recommends approval. *It was moved by Mr. M. Olsen and seconded by Ms. Oberlander to approve the six-month extension for the Fall River County Historical Society until September 30, 2010. Aye – All. Motion carried.*

2010 Historic Preservation Scholarship – Selection Approval – GRAPE Committee

Mr. Kuchenbecker informed the Commission that the GRAPE Committee received eight (8) applications from seniors from the Lead-Deadwood School District and recommend a scholarship be granted to Mr. Greg Stagner. *It was moved by Ms. Oberlander and seconded by Mr. Steinlicht to accept the recommendation of the Grant, Recognition, Advocacy and Public Education Committee to offer Mr. Greg Stagner, a Lead-Deadwood High School Senior, the \$1,000.00 scholarship on behalf of the Deadwood Historic Preservation Commission. Aye – All. Motion carried.*

Mountain-Plains Museum Association Conference – Sponsorship Request – Jay Vogt

Mr. Kuchenbecker explained that Mr. Vogt had contacted him to request that the Deadwood Historic Preservation Commission be a sponsor for the 2010 Mountain-Plains Museum Association Conference that will be held in Rapid City, SD. He said they will be doing a field trip and tour of Deadwood, and they are requesting support in the amount of \$5,000.00 which includes five complimentary registrations, ten VIP tickets to the opening reception held at Mt. Rushmore, the Historic Preservation logo on all

conference material and website with link, a full-page ad in the conference program, announcement of support at the general sessions, a 20% discount for an exhibit booth and a prominent display banner throughout the entire conference. This conference is held annually throughout the 10-State Region and it is South Dakota's year to host the conference. Mr. Kuchenbecker added that there has been \$20,000 set aside under the statewide Advocacy line item, so it is within the budget. He further stated that this item did not go through the GRAPE Committee as it came in after their meeting; however, it needs approval so it can go before the City Commission for approval in order to meet the deadline. *It was moved by Ms. Oberlander and seconded by Mr. M. Olsen to approve the sponsorship of the Mountain-Plains Museum Association Conference in the amount of \$5,000.00 from the Statewide Advocacy line item under the 2010 budget for Historic Preservation and Advocacy. Aye – All. Motion carried.*

Loan Agreement #2010-01 and #2010-02 Hickok Traveling Exhibit – Mike Runge

Mr. Kuchenbecker noted the memo from Mike Runge explaining the requests from the Historic Deadwood-Lead Arts Council and the Grand River Museum. *It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve Loan Agreement #2010-01 to the Historic Deadwood-Lead Arts Council for the James Butler Hickok Traveling Exhibit. Aye – All. Motion carried.*

It was further moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve Loan Agreement #2010-02 to the Grand River Museum in Lemmon, SD for the James Butler Hickok Traveling Exhibit. Aye – All. Motion carried.

Permission for GIS Training – Kevin Kuchenbecker, Virginia Peterson, Bob Nelson, Jr.

Mr. Kuchenbecker requested approval for GIS training which is being offered by South Dakota School of Mines and Technology for the purpose of utilizing the investment of the GIS hardware and software purchased through the Deadwood Historic Preservation Commission. He said he is requesting that Virginia Peterson, Bob Nelson, Jr. and himself be allowed to attend the training sessions as presented. This is a budgeted item. Ms. Oberlander asked if Mr. Nelson's registration should come from the HP Budget, to which Mr. Kuchenbecker suggested it come from the GIS budget under historic preservation. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to recommend to the City Commission that Virginia Peterson be allowed to attend the Arc/GIS I training from May 3-5, 2010 at a cost of \$495.00 and that Bob Nelson, Jr., Virginia Peterson and Kevin Kuchenbecker be allowed to attend the Arc/GIS II session from May 6-7, 2010 at a total cost of \$425.00 per person. Aye – All. Motion carried.*

South Dakota State Historical Society Annual Conference – HPC Attendance

Mr. Kuchenbecker said the conference will be April 30th and May 1st, 2010. The topic will be "Prairie Politics...From Territory to Today". He asked that anyone wishing to attend please let him know as soon as possible, adding that the HP Commission is a sponsor and it would be nice to have some attendees.

REVOLVING LOAN FUND/RETAINING WALL PROGRAM UPDATE:

Retaining Wall Application – 80 Williams Street – Dave Thompson

Mr. Kuchenbecker explained that at the suggestion and direction of the HP Commission, Mr. Dave Thompson has submitted a new retaining wall application for consideration of being placed into the Retaining Wall Program. He added that the wall does meet eligibility because of the location; however, the criterion has come under question in the past. Mr. Kuchenbecker said he is requesting direction to

solicit professional engineering services to determine the eligibility of the wall. *It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to direct the Deadwood Historic Preservation Office to solicit professional engineering and historic preservation services and contract for the services to provide a formal recommendation to the Commission on the eligibility of the application for the Retaining Wall Program based on the adopted criteria. Aye – All. Motion carried.*

Revolving Loan Disbursements

It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve the Revolving Loan disbursements in the amount of \$2,045.00. Aye – Derosier, Oberlander, M. Olsen and Steinlicht. Abstain – S. Olson. Motion carried.

Retaining Wall Disbursement

It was moved by Mr. Steinlicht and seconded by Mr. S. Olson to approve the Retaining Wall disbursement for 99 Williams-Millikan in the amount of \$3,763.00. Aye – All. Motion carried.

Financial and Delinquency Report

Ms. McCracken reviewed the delinquency report and the financial report. She also informed the Commission that the delinquency reports are now being reviewed with the Loan Committee. She said they received a payment from Haverberg, but have not received a payment from Hickok's. She is also working on the Rhea Trevino property on Williams Street due to Mr. Trevino's passing.

Loan Request – 17 Selby – Randy and Teri Adler

Ms. McCracken explained that this request is for a refinance. There are two loans they are refinancing for a total of \$25,008.74, 5% interest rate, 15 year amortization, 7-year balloon with a monthly payment of \$197.96. The Adler's have been customers since 1999 and have an excellent payment history. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to refinance two loans to Randy and Teri Adler in the total amount of \$25,008.74 at a 5% interest rate. Aye – All. Motion carried.*

Loan Request – 81 Stewart – Travis and Stephanie Floyd

Ms. McCracken explained that this is a new loan in the amount of \$7,150.00, 5% interest rate, payment amount of \$47.31 per month, 20-year amortization and a 5-year balloon. This for their portion of the retaining wall. *It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the loan to Travis and Stephanie Floyd at 81 Stewart Street in the amount of \$7,150.00 at 5% interest. Aye – All. Motion carried.*

Loan Request – 111 Williams – Lynette Kirkeby

Ms. McCracken explained that this is a new loan request from Lynette Kirkeby in the amount of \$6,150.00. This is Life Safety so it would be a 0% loan. Payment amount would be \$51.25 per month. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the loan for Lynette Kirkeby at 111 Williams Street for \$6,150.00, 0% interest, Life Safety. Aye – All. Motion carried.*

Subordination Request – 128 Williams – Bryan and Roberta Arsaga

Ms. McCracken explained that this loan request was discussed a couple of months ago. She said the Arsaga's have three different loans with the amounts being \$20,330.00, \$2,311.00 and \$1,665.00; totaling \$24,306.00.00. The Arsaga's have completed their remodeling project and they are ready to close on their permanent financing, so they are asking the Historic Preservation Commission to subordinate the three

loans to the lender, which would put the HP Commission in second position behind the lender. Ms. McCracken said their loan amount is \$130,000.00, but said when the lender includes their retaining wall loan in the amount of \$54,434.00 it exceeds the lender's Combined Loan to Value (CLTV) ratio guidelines. Therefore, the Arsaga's are asking to have the Commission transfer title of this loan to Robyn's parents, Tom and Linda Blair, for a short-term until permanent loan financing has been completed. She further stated that she visited with Blair's and this is satisfactory to them. She said since the Loan Committee has reviewed and accepted this; she went back and talked to City Attorney, Jason Campbell, because Blair's also offered free and clear security mutual funds. After discussion with Mr. Campbell he is recommending that those mutual funds be used because it will put the HP Commission in first position.

Ms. McCracken suggested this be approved in two motions; one for the subordination of the small loans totaling the \$24,306.00 and one agreeing to transfer collateral to Blair's security for a short-term while Arsaga's are putting their permanent financing in place. Arsaga's have agreed to sign a new mortgage for the \$54,434.00 which will be recorded immediately after the refinance has taken place. At that time, Blair's will be released. Mr. S. Olson asked if the City was in first position for the retaining wall, to which Ms. McCracken said they were in last position. Ms. McCracken stated that Arsaga's have agreed to sign the new mortgage for \$54,434.00 which will be recorded after their permanent financing and Blair's have agreed to using their collateral in that short time period.

It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve the subordination of three loans to Bryan and Roberta Arsaga; one in the amount of \$20,330.00, one in the amount of \$2,311.00 and one in the amount of \$1,665.00 to First Interstate Bank. Aye – All. Motion carried.

It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to transfer the collateral for the retaining wall loan to Bryan and Roberta Arsaga in the amount of \$54,434.00 to Tom and Linda Blair utilizing mutual funds until the permanent loan is in place and upon the execution of the Memorandum of Understanding drafted by the City attorney. Aye – All. Motion carried.

Revolving Loan Disbursement

It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to approve the HP Revolving Loan Fund disbursement in the amount of \$7,172.00. Aye – All. Motion carried.

ITEMS FROM CITIZENS NOT ON AGENDA:

Mr. Dave Thompson appeared before the Commission and said the Youth Bowling Association in Lead, SD could use some help in funding the state tournament, new balls, etc. Mr. Thompson was informed that historic preservation money could not be used for that purpose because of the guidelines they must follow.

Committee Actions and Reports:

Grants, Recognition & Advocacy: Commission representatives: Ronda Feterl, Matt Pike and Mary Ann Oberlander.

Mr. Derosier reported that Mr. Steinlicht will replace Mr. Pike on this committee due to time constraints.

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.

Mr. S. Olson reported that the ledger of the graves at Mt. Moriah is in place. Mr. Runge will also be adding a map.

Mr. Kuchenbecker talked about the early pioneer that was uncovered at 66 Taylor Avenue. He reported that the contacts at SARC; Rose Fosha and Renee Bowen, are no longer employed causing a breakdown in communications.

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: Commissioners Darin Derosier and Willie Steinlicht.

Mr. Derosier said the Chamber of Commerce donated \$2,500.00 to the Mickelson Trail Marathon.

Days of '76: Commissioner Mike Olsen.

The Days of '76 Museum Board is having a problem with the Department of Transportation grant, in that the State DOT now has to approve all the plans for the museum. Deborah Gangloff has put in for both the NEH and Kresge Challenge Grants. They received money from the federal government through the OMNIBUS funding bill that was passed last December. The board has also discussed adding more members to the board and will be asking four people to join.

Mr. Olsen wanted it noted that they received a letter of support for the NEH Grant from John Kennedy, an archaeologist out of Ft. Collins, Colorado, that was sent directly to the NEH. He has been doing some research on arrowheads that he wants to publish. Mr. M. Olsen wanted the following portion of the letter noted in the minutes:

“The rapid and supportive response I received from Ms. Gangloff was a rare treat. Her enthusiasm gave me a much needed boost after weeks of dead ends and negative results. She was not only interested in the research itself, but welcomed the opportunity to share some of the collections with a broader scientific community. Perhaps most importantly, was the passion she felt towards strengthening the museum’s

knowledge of their collections and how that knowledge could enhance interpretation and display of the artifacts, as well as the overall experience offered their visitors. After Ms. Gangloff and colleagues confirmed my credentials and validation of the research, they were amazingly helpful, offering multiple images of their collections and, in some cases, re-shooting certain artifacts.”

“A few words must be spoken on the artifacts themselves. They house approximately 40 metal points, a number of which are quite unique. Of the over 1,100 metal points currently undergoing analysis, certain large-scale patterns in size, shape, and manufacture are standing out. It is always the outliers in any large sample that provide interesting variability and a number of the Days of '76 Museum specimens are just those outliers. In particular are two specimens imbedded in bison bone, demonstrating their brutal hunting efficiency. Only four other examples of metal points within animal bone have been encountered during the research thus far, clearly reflecting their importance and uniqueness. Further, are a number of arrows hafted to the arrow shaft with attached fletching (feathers). These artifacts are extremely worthwhile and should receive high priority for the preservation for they reflect some of the last vestiges of traditional Native weaponry.”

Mr. M. Olsen went on to say that this tells that even though it is not really known what is in the collection, there are a lot of “gems” down at the museum and they must be very well taken care of.

Neighborhood Housing Services: Commissioner Willie Steinlicht.
No report.

Planning and Zoning: Commissioner Mike Olsen.
Mr. M. Olsen reported on the following:

Approved a temporary banner for the Southside Service Station, for May 17-22 and June 21-26, 2010 to congratulate Mr. Mollman on 50 years of business in Deadwood as a mechanic.

Planning and Zoning and the Board of Adjustments approved a Conditional Use Permit for a multi-family at 817-1/2 Main Street.

Pulled the Findings of Fact on the revocation of the Bed & Breakfast Conditional Use Permit at 15 Washington Street because of mistakes in the legal description.

Reported that Deanna Berglund issued the 2009 Annual Report for Planning and Zoning.

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

No report.

Mr. Derosier offered condolences to the family of Ella Oberlander.

Mr. Derosier read a “thank you” note from the Western Heritage Center for the \$2,500.00 grant directed to the Women of the West Art Collection.

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 5:55 pm.

ATTEST:

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