

**DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, May 26, 2010 ~ 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. Election of Officers
3. Approval of Minutes
4. Voucher Approval
5. Old or General Business
6. New Matters before the Deadwood Historic District Commission
7. New Matters before the Deadwood Historic Preservation Commission
  - a. Case# 10025 — 160 Charles Street — Roofing, Windows— Tessa Zupet/Jesse Allen
  - b. Revolving Loan — Wood Window Program — Tessa Zupet & Jesse Allen
  - c. Case# 10026 — 350 Williams Street — Garage — James Fletcher
  - d. Purchase of Deadwood Walking Tour Brochures — Kevin Kuchenbecker
8. Revolving Loan Fund/Retaining Wall Program Update.
  - a. Retaining Wall Applications
    - i. 1 Railroad — John C. Bolan
    - ii. 74 Van Buren — Joan Berner
  - b. Revolving loan Program/Disbursements
  - c. Retaining Wall Program/Disbursements
9. Items from Citizens not on agenda
10. Committee Actions and Reports
11. Staff Report
12. Other business
13. Adjournment

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

**Wednesday, May 26, 2010**

**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.

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

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

A quorum being present, Chairman Darin Derosier called the Deadwood Historic Preservation Commission meeting to order on Wednesday, May 26, 2010 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

**Election of Officers**

*It was moved by Mr. M. Olsen and seconded by Ms. Feterl to nominate Darin Derosier as Chairman of the Historic Preservation Commission. Aye – All. Motion carried.*

*It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen to nominate Ronda Feterl as Vice-Chairman of the Historic Preservation Commission. Aye – All. Motion carried.*

**Review Minutes**

*It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the minutes of May 12, 2010. 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 \$190,225.97. 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 \$2,157.81. Aye – All. Motion carried.*

**OLD OR GENERAL BUSINESS**

None.

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

None.

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

**Case #10025 – 160 Charles Street – Roofing, Windows – Tessa Zupet/Jesse Allen**

Kevin Kuchenbecker explained that the applicants are requesting Project Approval for 160 Charles Street, a contributing structure located in the Cleveland Planning Unit in the City of Deadwood, which was constructed circa 1895. The applicants request permission to replace soffit boards around the roof and to repair the existing windows on the house, including the installation of new wooden storm windows. Additionally, the applicants are requesting permission to re-roof the small roof on the rear of the house with matching materials. 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. S. Olson 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.)

**Revolving Loan – Wood Window Program – Tessa Zupet & Jesse Allen**

*It was moved by Mr. M. Olsen and seconded by Mr. Steinlicht to place Tessa Zupet and Jesse Allen into the Revolving Loan/Wood Window Program. Aye – All. Motion carried.*

**Case #10026 – 350 Williams Street – Garage – James Fletcher**

Mr. Kuchenbecker explained that the applicant has submitted an application for a vault-style, two-car garage located at 350 Williams Street, which is a contributing structure. He stated that his concern after reviewing the application was the overall height of the garage. He contacted the contractor and the homeowner and told them he needed more information on the style of the garage door. He also told them he would like to see if it was possible to lower the height of the garage. He added that he measured several garages in the area, with the most recent one at 3 John Street, a new two-car garage, where the overall height is 9' 7". He added that the highest one he measured was at 331 Williams Street and it measured at 10' 6", with the others ranging from 8' 6" to 9' 6". He said his main concern was the 13' height of the proposed garage and felt it would have an adverse affect.

Mr. Jim Fletcher was present and said the reason for requesting the roof to be higher was due to cost. He added that he felt it would look very good sitting next to the house. Mr. Pike said it would be easier to make a determination if they could be provided with more information and photos of the existing area and a rendering of the new structure, and wondered if it would cause a problem for the Fletcher's if the item was continued to the next meeting. Mr. Fletcher said they would not be building the garage for another six to nine months, but they need to excavate the area in order to access the house. He added that they are just trying to establish prices on what the project might cost. Mr. Fletcher added that the doors they are proposing look like old wooden carriage doors with old-looking hardware, but operate as regular garage doors.

*It was moved by Mr. Pike and seconded by Mr. M. Olsen to continue this item to the next meeting.* Mr. Kuchenbecker said it is up to the applicant to get the information to staff and was not comfortable with

continuing it to the next meeting in case it was not enough time for the applicant to compile the information. ***Mr. Pike amended his motion to continue this item until such time as the application is considered complete.*** Mr. S. Olson said rather than continuing the item, it should be tabled and could be removed from the table at any future time. ***Mr. Pike rescinded his previous motion and moved to table the item. Mr. M. Olsen seconded the motion. Aye – All. Motion carried.***

#### **Purchase of Deadwood Walking Tour Brochures – Kevin Kuchenbecker**

Mr. Kuchenbecker explained that they are down to less than two boxes of the Walking Tour Brochures at the Deadwood Visitor Center. He requested permission to order 20,000 brochures not to exceed \$6,500.00 with the funds coming from the Advocacy/Public Education line item. ***It was moved by Mr. Steinlicht and seconded by Mr. Pike to order 20,000 brochures not to exceed \$6,500.00. Aye – All. Motion carried.***

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

##### **Retaining Wall Application – 1 Railroad – John C. Bolan**

Mr. Kuchenbecker explained that this application is for the new house located at 1 Railroad Avenue. The property has had many retaining walls related to the previous resource located in the area; however, most of these walls have been lost and/or destroyed due to the construction of the new residential dwelling. The wall meets the eligibility for location; however, it DOES NOT meet the following criteria for acceptance as a historic wall: 1) historic wall; 2) threatening a historic resource; and 3) life/safety. In addition, this is also based upon the archaeological report that was done for the new construction, where the structure is obviously not eligible for the National Register and is not contributing to Deadwood's National Historic Landmark status due to the loss of integrity. ***It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to deny the application from John Bolan at 1 Railroad into the Retaining Wall Program due to lack of criteria for acceptance. Aye – All. Motion carried.***

##### **Retaining Wall Application – 74 Van Buren – Joan Berner**

Mr. Kuchenbecker explained that the application is for 74 Van Buren. He said the retaining wall across the front of the resource has failed and should be considered a priority if entered into the program. The wall meets the general eligibility for location and meets the following criteria for acceptance: 1) historic wall; 2) potentially threatening a historic resource if the yard would continue to slough; and 3) life/safety. Staff recommends acceptance into the program. Joan Berner was present. ***It was moved by Mr. M. Olsen and seconded by Mr. Pike to accept Joan Berner at 74 Van Buren Avenue into the Retaining Wall Program and that the wall is considered a priority. Aye – All. Motion carried.***

##### **Revolving Loan Fund – Cash Disbursements**

***It was moved by Mr. Steinlicht and seconded by Mr. M. Olsen to approve the Revolving Loan Fund disbursements in the amount of \$6,549.00. Aye – All. Motion carried.***

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

Ms. McCracken reviewed the delinquency report and the financial report. She said Blake Haverberg will be making a payment on Friday. She said there is a meeting scheduled for Tuesday morning with Hickok's, adding that they are contacting an appraiser and will talk about a façade easement on the property, but stressed it will not cost the City of Deadwood any money. She said she would also be

talking to the City Attorney regarding the best way to handle the loan for Rhea Trevino since he has passed away.

**Revolving Loan Request – 753 Main Street – Northern Hills Alliance for Children**

Ms. McCracken explained that this is a non-profit group that was formed to provide daycare and early childhood education. She said they have secured the building at 753 Main Street and are now working with TSP and Ainsworth-Benning to determine costs for renovating the building. She said they are currently projecting approximately \$550,000.00, adding that they have secured part of the funding, which is 1<sup>st</sup> Children's Finance in the amount of \$125,000, USDA Rural Development in the amount of \$50,000 and a Governor's Match in the amount of \$50,000. She said they have also submitted several additional proposals. The organization does not want to start the project until they know all funding is secured and explained that they are requesting a conditional commitment in the amount of \$50,000 subject to receiving commitments for all renovation funding prior to starting construction, which would match the Governor's match of \$50,000. Ms. McCracken added that since the building is non-contributing the only thing it is eligible for is Life/Safety, which has a maximum of \$50,000. She said the building inspector has looked at the building and says they have electrical issues, are in need of a sprinkler system and need a new heating system.

Mayor Toscana asked about collateral, to which Ms. McCracken said that the local businesses who secured funding for the building will have first mortgage on the property, 1<sup>st</sup> Children's would have second mortgage and the City of Deadwood would be in third position. *It was moved by Mr. M. Olsen and seconded by Ms. Feterl to make a conditional commitment for a loan in the amount of \$50,000 at 0% Life Safety to Northern Hills Alliance for Children. Aye – All. Motion carried.*

**Revolving Loan Request – 350 Williams Street – James and Donna Fletcher**

Ms. McCracken explained that the Fletcher's are applying for the Siding Program. This is a 0% loan for 10 years, no payments required. The client has excellent credit and ratios and the Loan Committee gave favorable comments. *It was moved by Mr. M. Olsen and seconded by Ms. Oberlander to approve the loan in the amount of \$10,000, 0% Siding Program to James and Donna Fletcher at 350 Williams Street. Aye – All. Motion carried.*

**Revolving Loan Request – 21 Lincoln Avenue – Dustin and Laura Floyd**

Ms. McCracken explained that the Floyd's purchased this house which has sat vacant for over three years and has gone through foreclosure, which qualifies them for the Vacant Home Program in the amount of \$10,000 at 0% interest for 10 years, no payments required. She said they are also eligible for the Window Program in the amount of \$3,000. She went on to explain that the Life/Safety items associated with this project will very possibly exceed the guideline of \$10,000 and the projected costs are \$17,800 for the plumbing alone. However, they do not know what to expect until they begin the project and turn the water back on.

Mr. S. Olson asked how they could go beyond the \$10,000 if that was the maximum amount allowed, to which Ms. McCracken said it was actually a guideline and they have extended the guideline on several occasions due to the amount of Life/Safety on a home. She said most generally the \$10,000 covers the costs, but there are some cases where there are extreme Life/Safety issues.

Mr. Pike said his position is not to make an exception until an exception is necessary; therefore, he would not like to exceed the guidelines of the Life/Safety plumbing loan until such time as is necessary. Ms. Feterl said that it was explained to the Loan Committee that the applicant must submit their request, but do not get any funds until the work is done. She further stated that the real discussion will be if \$17,800 will even be enough as Life/Safety money can be applied to plumbing, electrical, foundation and heating. Mr. M. Olsen said it was his understanding that if they approve the \$17,800 that does not mean that will be the amount of the loan; the amount of the loan will be the amount of the actual work done, which may be less. Mr. M. Olsen also expressed concern if the contractor would do the work knowing the loan amount was only approved for \$10,000. Mayor Toscana added that it was his opinion that the \$10,000 should be approved and if more was needed they could make another request at that time, rather than exceeding the guideline until it is necessary.

***It was moved by Mr. S. Olson and seconded by Ms. Feterl to approve the loans for Dustin and Laura Floyd at 21 Lincoln Avenue in the amount of \$42,000; \$10,000 Life/Safety for the plumbing, \$10,000 Vacant Home Program, \$3,000 Window Program and \$19,000 for 180 months @ 5%. Aye – All. Motion carried.***

**ITEMS FROM CITIZENS NOT ON AGENDA:**

None.

**Committee Actions and Reports:**

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

No report.

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

Mr. M. Olsen reported on the following:

Archaeology Camp is full and will be at the same site as last year. They now need to look at who owns the artifacts from the site.

Mike Runge has come up with a way of expediting the artifacts that were dug from the new Rec Center location. He has an intern that is coming in this summer. Mr. Olsen said he will pick up the artifacts in Rapid City and bring them to Deadwood where the intern will wash them and then they will be returned back to Rapid City for analysis. It will be a cost savings of \$30,000 to \$50,000 by having an intern do this work. ***It was moved by Ms. Feterl and seconded by Ms. Oberlander to recommend to the City Commission to hire Matt Hodson as a summer intern. Aye – All. Motion carried.***

The District Court journal/ledger project is moving forward. He has completed the first ledger out of six. These ledgers contain all the court activity that took place in Lawrence County in the late 1870s.

Mike Runge is requesting permission to advertise for interns. ***It was moved by Mr. S. Olson and seconded by Ms. Feterl to recommend to the City Commission to advertise for summer interns. Aye – All. Motion carried.***

Mr. M. Olsen noted the photographs and descriptions of items for the auction during Wild Bill Days. The AAA Committee asked Mr. Runge to go through the catalog and pull out anything he thought might be viable. Mr. Runge is currently doing research on the provenance of all the objects to establish whether or not there is a clear connection to Deadwood. He will prepare a report that will be in the packet on June 4<sup>th</sup>, 2010. The AAA Committee will review that report and come up with suggestions to be reviewed by the HP Commission on June 9<sup>th</sup>, 2010 and vote on a recommendation for the City Commission. There will also be a possible acquisition of a saddle that belonged to Seth Bullock, but more information will be brought back at a later date.

Compactor storage has been installed for the Chinese artifacts.

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.

Ms. Oberlander reported that there are many summer activities planned at the museum, including Archaeology Camp. Mr. Kuchenbecker reported that Archaeology Camp is full and there is a waiting list. He said they also have attendees coming from out of state. Ms. Oberlander said they are also continuing work on funding for the HARC building.

Chamber of Commerce: Commissioners Darin Derosier and Willie Steinlicht.

Mr. Steinlicht reported that they had their annual meeting/luncheon. Francy Foral was elected to serve as a homeowner, with Chuck Turbiville and Mary Kopco being re-elected.

Days of '76: Commissioner Mike Olsen.  
Mr. Mike Olsen reported on the following:

There is a new board member, Chase Adams from KBHB.

The pre-bid conference for the new museum is June 2, 2010 with the opening of the bids on June 14<sup>th</sup>, 2010 at 2:00 pm.

They will be starting to move the artifacts and the carriages out of the museum. They will be having work nights on Tuesdays and Thursdays at 6:00 pm and all help will be welcome.

The Adams Museum donated office furniture to the Days of '76 Museum.

The final 100% schematic of the exhibit design is due in June 4, 2010.

There will be a silent auction at The Lodge during the Western Memorabilia Auction and they are working on getting donations from businesses for the auction.

The trail ride is moving forward.

Neighborhood Housing Services: Commissioner Willie Steinlicht.  
No report.

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

They approved an eaves sign at Deadwood Gulch Resort with a variance for location.

They approved a directional wall sign at The Lodge, which will be on the retaining wall.

They approved three temporary vendors; Dakota Plains Auction for the auction at The Lodge during Wild Bill Days; The Runner's Shop and Great Grains who will be at The Lodge during the Mickelson Trail Marathon.

Planning and Zoning and the Board of Adjustments approved a Conditional Use Permit for a Bed and Breakfast at 65 Sherman Street, with the condition that it be reviewed in three months. They also approved the Findings of Facts for the Conditional Use Permit at 9 Sampson Street and a Conditional Use Permit at 1 Railroad Avenue.

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

Mr. Kuchenbecker reported on the following:

Noted Mike Runge's report.

Noted the Souvenir Edition of The Deadwood Forest Fire of 1959.

The Symposium went very well.

He has been working on the parking garage and hotel project at the Slime Plant.

**OTHER BUSINESS**

Mr. Derosier asked when City Attorney, Jason Campbell, would be returning to work full time, to which Mayor Toscana said it would probably be another year, as he is still on active duty. Mr. M. Olsen asked if there has been any thought on getting a temporary paralegal to assist Mr. Campbell. Mayor Toscana said there has been some discussion, but nothing has been decided at this time.

**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 6:00 pm.

ATTEST:

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