

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, September 9, 2009 ~ 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
 - a. HARCC Update– Mary Kopco & Carolyn Weber
 - b. Case# 09057 – 136 Charles Street– Soffit/Fascia – Dean Smith
 5. New Matters before the Deadwood Historic District Commission
 - a. Case# 09063 – 1 Railroad– New Construction – John C. Bolan
 6. New matters before the Deadwood Historic Preservation Commission
 - a. Case# 09062 – 57 Denver Avenue – New Roof – Mike Klamm
- Revolving Loan Fund/Retaining Wall Program Update.
- a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
7. Items from Citizens not on agenda.
 8. Committee Actions and Reports
 9. Staff Report
 10. Other business
 11. Adjournment

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, September 9, 2009

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

Absent Historic Preservation Commission: Ronda Feterl, Mike Olsen and Matt Pike.

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, September 9, 2009 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. Steinlicht and seconded by Ms. Oberlander to approve the minutes from Wednesday, August 26, 2009. Aye – All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. S. Olson and seconded by Mr. Steinlicht to approve the HP Operating Account in the amount of \$50,619.66. Aye - All. Motion carried.

Bonded Account:

None.

OLD OR GENERAL BUSINESS

HARCC Update – Mary Kopco & Carolyn Weber

Mary Kopco and Carolyn Weber appeared before the Commission to bring everyone up-to-date on the HARCC project. Ms. Kopco said they have a lot going on and reminded the Commission they have had to go at this project backwards, because after the building was purchased they needed to shore up the security area, adding that Historic Preservation and bonded funds were used to accomplish that goal. She said that Carolyn Weber and her staff moved all of the material from the Yates administrative building down to the HARCC building, which was accomplished last year. She said that at that time they decided to stop construction until they had raised the rest of the money needed to complete the project. She said they needed to raise an additional \$783,000. She said that since last October they have raised \$413,000, leaving a balance of \$485,000 to complete construction. She said that a few weeks ago they received word from Governor Rounds that the Office of Tourism and Economic Development would provide the HARCC project with a \$50,000 challenge grant, informing the Commission that the challenge was

immediately met by a private donor who wants to remain anonymous at this time. Ms. Kopco said they also just learned that First Interstate Bank (First Western Bank) came on board with a \$15,000 donation. She said once their goal is met, Scull Construction said it would take about two weeks to mobilize and three months to complete construction. She said it would take approximately an additional four months to purchase equipment and furniture and to get everything set up for operation.

Ms. Kopco said they have also been doing a lot of ambassador tours of the HARCC building, because they realized a lot of people are not familiar with what the project entails. She said they have been meeting with Black Hills State University, as they plan to offer both credit and non-credit classes at the HARCC building. The first non-credit class will be offered this fall, which would have to be done at the museum. She said they also met with Dr. Robert Wharton from the School of Mines, as they would like to set up a similar program. She said they are planning on getting a new sign up as well.

Ms. Carolyn Weber spoke about the archival collection. She said they moved the collection from Lead to the HARCC building about a year ago. She said even though construction was stopped there has still been work going on inside of the building, as they are processing, inventorying and organizing the collection. Ms. Weber said the most important thing is that even though it is not open to the public, they have been able to help a number of people. She said most importantly, they have contributed over 6,000 documents to the South Dakota Science and Technology Authority, the DUSEL and the SUSEL and everybody that is connected with that project. She said that helps the lab keep on track and saves the State of South Dakota and the Science Foundation a lot of money.

Ms. Weber said that back in May of 2009 they started charging \$35.00 an hour for their time and \$20.00 for every document that they scan. She said by doing this they have raised almost \$5,000. Ms. Kopco added that they also have a lot of grant proposals out and said they are being very aggressive with their fund raising efforts. Mr. S. Olson said he was looking at the list of contributors to the project and wanted to know what the Great Plains Education Foundation was, to which Ms. Kopco said it is a foundation that was created by Governor Janklow with the Board of Regents. The Commission thanked Ms. Kopco and Ms. Weber for keeping them informed. Ms. Oberlander said she felt it was very important for everyone to understand that just because there is currently no construction going on, that work is still happening and the project is still going forward.

Case # 09057 – 136 Charles Street – Soffit/Fascia – Dean Smith

Mr. Kuchenbecker explained that this item is a continuation from the August 26, 2009 meeting because there was a question as to whether or not it is owner-occupied. He said the office checked with the Lawrence County Equalization Office and it is listed as owner-occupied. *It was moved by Mr. Steinlicht 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 a Certificate of Appropriateness for 136 Charles Street as presented in Case #09057. Aye – All. Motion carried.*

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

Case #09063 – 1 Railroad – New Construction – John C. Bolan

Mr. Kuchenbecker said this property has previously come before the Commission and a Certificate of Appropriateness was issued to retire the old structure and build a new house. He said once they tore the

existing structure down they were looking at the plans with the soil engineer who said they could not construct a walkout basement, nor could they excavate into the hillside. He said it caused them to look at things again and work out a different plan. He said they looked at a two-story house, which was sent to the State and it was recommended that they come up with other alternatives, such as a ranch-style house and they have now come forward with the new plan. He said comments have been received from the State Historic Preservation Office and they are now looking at story and-a-half. He said with the garage the house is quite long at 98', but said they have addressed several issues throughout this project.

Mr. S. Olson expressed concerns of not knowing what this will look like on the hillside. He said he is not adverse to a house being built there, but stated there have been many other instances where a decision was made and regretted later because they did not know what it would look like. He wondered if there is a way to find out how this will look on the hillside. Mr. Derosier said he did not think it was possible without having Mr. Bolan spend a great deal of money to get a visual drawing and felt that was too much money to ask a resident to spend. Mr. Derosier also added that the plan that was approved two weeks ago was much bigger than what is being presented now.

Mr. Steinlicht added that if the State has approved the project he would hate to have the Commission say no. Mr. Kuchenbecker clarified that we do not ask the State for their opinion, but it is State law that they provide it and they have up to 30 days to provide a 1-19A-11.1 review. He said by being in constant communication they can expedite the project. Mayor Toscana said it was his understanding that once we were no longer a CLG that they could not intervene on every approval. Mr. Kuchenbecker said it was his understanding that they could. Mayor Toscana said he appreciated what the State has done, but his concern is that he was under the impression that once the City was decertified, they could no longer have control.

Mr. Derosier told Mr. Olson he understood his concerns, but said the applicant has been coming before the Commission for almost two months and they have been postponed every time, adding that this is the least visual of all the designs presented. Mr. S. Olson said that is what he wants to know, if it is the least visual. Mr. S. Olson said that by putting a 98' structure on the hillside it would be a dominant structure and wants to know what it will look like. Mr. Kuchenbecker pointed out on the drawing that the garage will sit back approximately 16' from the front of the house.

It was moved by Mr. Steinlicht and seconded by Ms. Oberlander that based on SDCL 1-19A-11.1 Determination of Project 090811005S where it states that the South Dakota State Historic Preservation Office has determined that the proposed new construction will not have an adverse effect on the Deadwood Historic District and based on the guidance in the U.S. Department of the Interior Standards for Historic Preservation Projects in 36 C.F.R. 67, the finding is that the project is ADVERSE to Deadwood, but the applicant has explored REASONABLE AND PRUDENT ALTERNATIVES, and APPROVES the project as presented. Aye – Derosier, Oberlander and Steinlicht. No – S. Olson. Motion failed.

Mr. Derosier asked Mr. S. Olson what he needs to be satisfied. Mr. Olson reiterated that his concern is what it will look like on the hillside and did not feel it was too much to ask to have the applicant provide the Commission with a conceptual drawing. Mr. Kuchenbecker said he will speak with the applicant and his agent to see if something can be provided, but felt that a special meeting should be held after that. Mr.

Derosier said he personally did not feel it was the Commission's responsibility to have visual drawings on every home in this town, otherwise there would be no homes built in Deadwood.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

Case #09062 – 57 Denver Avenue – New Roof – Mike Klamm

Mr. Kuchenbecker explained that the applicant has submitted an application for Project Approval for re-roofing at 57 Denver Avenue, a noncontributing structure located in the City Creek Planning Unit in the City of Deadwood, which was constructed circa 1895. He added that because of a new addition, all new siding and non-historic windows and framing it has lost its integrity and cannot contribute to the Deadwood National Historic Landmark District. He said the applicant is requesting permission to remove the old roof, including rafters, and replace them with new rafters that will extend over the deck. The roof will then be covered with metal to match the garage. The proposed work and changes does not encroach upon, damage or destroy a historic resource, nor does it have an adverse affect on the historic character of the State and National Register Districts of the Deadwood National Historic Landmark District. The contractor, Jeff Matthew, was available for questions. *It was moved by Mr. S. Olson 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 to Mike Klamm at 57 Denver Avenue as presented in Case #09062. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

REVOLVING LOAN FUND/RETAINING WALL PROGRAM UPDATE:

Retaining Wall Applications:

None.

Revolving Loan Disbursements

None.

Retaining Wall Disbursements

None.

Ms. McCracken reviewed and explained the delinquency list. She explained that they are moving forward on the Gilmore.

REVOLVING LOAN REQUESTS

Donna and Ken Kellar – Loan Request – 58 Pleasant

Ms. McCracken explained that this request is for their portion of the retaining wall in the amount of \$16,663. She said it is considered Life Safety, so it would be a 0% loan, 10-year amortization, 5-year balloon with first mortgage on the property. The Loan Committee reviewed this request and favorable comments were received. *It was moved by Mr. Steinlicht and seconded by Mr. S. Olson to approve the loan amount of \$16,663 to 58 Pleasant, 0% Life Safety for Donna and Ken Kellar. Aye – All. Motion carried.*

Gary and Joan Biggs – Loan Request – 764, 766, 768, 770 & 772 Main Street

Ms. McCracken explained that Gary owns five properties on Main Street. She said over the years they have lent money to Mr. Biggs to rehabilitate all of those properties, and as they came due they were all refinanced into three loans for a total of \$212, 617. She said Historic Preservation has first mortgage on all five properties. Mr. Biggs has placed all five properties on the market at an average sale price of \$250,000 and is asking for partial releases and has suggested \$50,000 per property so that when the last property is sold it would satisfy the entire debt. She further explained that as each property is sold they will receive \$50,000 principal reduction and then that property would be released. Mr. S. Olson said he understood that the last property sold would mean a payment of less than \$50,000, but wondered if that takes into account any interest that has accrued. Ms. McCracken said he is making regular payments so the interest is currently being paid monthly. *It was moved by Mr. Steinlicht and seconded by Mr. S. Olson to approve the repayment structure in the amount of \$212,617, which consists of a payment of \$50,000 per each of the first four buildings that are sold and the remainder when the fifth building is sold for Gary and Joan Biggs. 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, Darin Derosier 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 they are looking at locations for possible re-interment of the body that was discovered behind the retaining wall on 66 Taylor Avenue, but need to do more investigation. He also reported that Mike Olsen and he went to Buffalo Gap for a reception. He said they are very appreciative for the grant they received and will probably coming back in the future for another loan request for additional work on the building.

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 reported that they are looking at their budget. He said they are going to be short and will have to possibly look at cutting some programs, events and/or marketing.

Days of '76: Commissioner Mike Olsen.
No report.

Neighborhood Housing Services: Commissioner Willie Steinlicht.
No report.

Planning and Zoning: Commissioner Mike Olsen.
No report.

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

Kevin Kuchenbecker reported on the following:

On Friday, September 11, 2009 they will be traveling to Pierre to present the 2010 budget.

He wanted to know if anyone wanted to travel to Yankton for a \$4,500 check presentation for their windows.

Pete and Amy Kircheval have invited the Commission for an open house to see all of the work they have done.

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 5:35 pm.

ATTEST:

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