

**DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, April 9, 2014 ~ 5:00 p.m.**

City Hall, 108 Sherman Street, Deadwood, South Dakota

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1. Call meeting to Order
  2. Approval of Minutes
    - a. Approval of Minutes from March 12, 2014
    - b. Approval of Minutes from March 26, 2014
  3. Voucher Approval
  4. Old or General Business
    - a. DNA testing for skeletal remains – Mike Runge
    - b. Deadwood Stagecoach Days --- DHI partnership with HPC – funding request
    - c. Archaeology Camp support – DHI partnership with HPC – funding request
    - d. Deadwood Historic Preservation Moments – Preservation Office
    - e. ~~Resolution regarding the unpermitted demolition of the Sinclair Station~~
    - f. Discussion of Ordinance #1211 Amending Chapter 17.68, Historic Preservation
    - g. Emergency Grant – Fall River County Historic Society – Pioneer Museum
  5. New Matters before the Deadwood Historic District Commission
    - a. Case No. 14011 – 700 Main Street – Exterior Rehab – Super G Investments
  6. New Matters before the Deadwood Historic Preservation Commission
  7. Revolving Loan Fund/Retaining Wall Program Update
    - a. Retaining Wall Applications
    - b. Revolving loan Program/Disbursements
      - i. Underwriting fee policy recommendation
      - ii. Rick Ensminger – 130 Charles – Special Needs Windows
      - iii. Ron Russ Fairmont Hotel – 628 Main St – Refinance addition
    - c. Retaining Wall Program/Disbursements
  8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
  9. Staff Report (*Items 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
- Executive Session for Legal Matters pursuant to SDCL1-25-2 (3)

*\*All Applications **MUST** arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

**CITY OF DEADWOOD**  
**HISTORIC PRESERVATION COMMISSION**  
**Wednesday, April 9, 2014**

**Present Historic Preservation Commission:** Chairman Willie Steinlicht, Michael Johnson, Lynn Namminga, Chuck Williams, Laura Floyd and Darin Derosier were present.

**Absent:** Vice-Chair George Milos was absent.

Kevin Kuchenbecker, Historic Preservation Officer; Ms. Terri Williams, City Attorney; Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services; and Mike Runge, Archivist were all present.

**Present City Commission members:** Vice-Chair Georgeann Silvernail, Jim Van Den Eykel and Gary Todd were present.

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

A quorum present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order Wednesday, April 9, 2014 at 5:00 p.m. in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

**Approval of March 12, 2014 HPC Minutes:**

Chairman Steinlicht noted the following corrections to March 12, 2014 minutes:

On Page 9 last paragraph, the correction is as follows: "***Based upon all the evidence... ..property located at 366 Main Street is non-contributing, it does ~~not~~ contribute...***"

On Page 15 Paragraph four, the corrections are as follows: "With that being said, Mr. Kuchenbecker asked the commission to view the information under the rules and regulations as **they exits** today." "...Green outlines the non-contributing structures; along with the key, **it is-noted notes** the **responsibility responsible** party..." "(The Map is attached hereto **en as** Exhibit N...)"

On Page 15 Paragraph five, the corrections are as follows: "***Based upon all the evidence... ..property located at 366 370 Main Street is ~~non~~-contributing, it does contribute...***"

On Page 17 Paragraph three under Case# 14007, the correction is as follows: "***Based upon all the evidence prese~~5~~nted, it was moved...***"

On Page 17 Paragraph six under Case# 14008, the correction is as follows: "***Based upon all the evidence prese~~5~~nted, it was moved...***"

***It was moved by Mr. Derosier and seconded by Ms. Floyd to approve the corrected Minutes of Wednesday, March 12, 2014 as presented. Aye – All. Motion carried.***

**Approval of March 26, 2014 HPC Minutes:**

***It was moved by Mr. Derosier and seconded by Mr. Williams to approve the Minutes of Wednesday, March 26, 2014. Aye – All. Motion carried.***

**Voucher Approval:**

Operating Account

***It was moved by Mr. Derosier and seconded by Mr. Johnson to approve the HP Operating Account in the amount of \$155,664.30. Aye – All. Motion carried.***

**Old or General Business:**

DNA Testing for skeletal remains – Mike Runge

Mr. Mike Runge, Archivist for the City of Deadwood, updated the Commission on the status of efforts to identify the human remains discovered in 2012 at 66 Taylor; these remains were from an unmarked burial associated with Deadwood's first municipal cemetery (1875-1878). Mr. Runge requested permission to hire Ms. Angie Ambers, a Forensic DNA Analyst at the Institute of Applied Genetics (IAG) and Center for Human Identification in Fort Worth, Texas, to extract and perform DNA testing from the teeth and bone of the unidentified individual. He explained the

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DNA testing would help determine eye, hair and skin color which could help in identifying the ethnic origin of this individual. ***It was moved by Mr. Derosier and seconded by Mr. Johnson to allow the City Archives to enter into contract with Ms. Angie Ambers to perform DNA testing on the human remains discovered in 2012 at 66 Taylor Avenue with the cost not to exceed \$3,000.00 from 2014 City Archaeology Budget. Aye - All. Motion carried.*** (The Memorandum is attached hereto on Exhibit A and incorporated herein by this reference.)

Deadwood Stagecoach Days – DHI partnership with HPC – Funding request

Mr. Kuchenbecker informed the Commission the National Stagecoach and Freight Wagon Association is planning to host a two-day educational program on Friday and Saturday, September 5 & 6, 2014; the event will kick-off on Friday at noon with stagecoach and chuck wagon demonstrations for 80 Lead-Deadwood fourth grade students with the remainder of the event open to the public. ***It was moved by Mr. Derosier and seconded by Mr. Johnson to allow funding to assist with costs associated with the Deadwood Stagecoach Days in the amount of \$12,500.00 from 2014 Public Education Advocacy Budget line item. Aye - All. Motion carried.*** (The Memorandum is attached hereto on Exhibit B and incorporated herein by this reference.)

Archaeology Camp support – DHI partnership with HPC – Funding request

Ms. Chelsie Bauer, Education Director and Graphic Designer for Deadwood Historic Inc., presented to the Commission her funding request to conduct three Archaeology Camps in 2014 to take place July 10-25, 2014; the programs consists of approximately 75 students who will participate in daily educational programming; field trips; genuine excavation led by professional archaeologists and historians; and collaborative work in peer groups. ***It was moved by Mr. Namminga and seconded by Ms. Floyd to approve budgeted amount of \$3,000.00 for Archaeology Camp from 2014 Archaeology line item to help underwrite program. Aye - All. Motion carried.*** (The Memorandum is attached hereto on Exhibit C and incorporated herein by this reference.)

Deadwood Historic Preservation Moments – Preservation Office

Mr. Kuchenbecker stated that in 2011 the Deadwood Historic Preservation Commission had contracted with Macro Vision, LLC for the production of 52 minutes of completed video segments which served as an educational and social media tool on aspects of Deadwood's historic past and current historic preservation efforts. He requested approval to contract for services to create 15 additional Preservation Moments by Macro Vision LLC over the course of the next 12 months; he discussed topics to be highlighted such as the Portable Baseball Exhibit Project, St. Ambrose Cemetery Restoration Project, Chinese Coin Conservation Project, the Chinatown Firearms Excavation as well as the DNA and CSI behind Historic Preservation. Mr. Kuchenbecker requested approval to continue to develop additional Preservation Moments which would be uploaded and viewed on the Historic Preservation YouTube channel. ***It was moved by Mr. Derosier and seconded by Mr. Johnson to recommend approval to the City Commission for Historic Preservation office to contract services for the creation of 15 additional Preservation Moments by Macro Vision, LLC over the course of the next 12 months not to exceed \$10,500 from 2014 Public Education Advocacy Budget line item. Aye - All. Motion carried.*** (The Memorandum is attached hereto on Exhibit D and incorporated herein by this reference.)

Chairman Steinlicht officially asked for Agenda Line Item #4e to be removed from meeting.

Discussion of Ordinance #1211 Amending Chapter 17.68, Historic Preservation

Mr. Kuchenbecker informed the Commission of the proposed revisions made to the Ordinance #1211.

Mr. Van Den Eykel, City Commissioner, stated he had suggested at the City Commission meeting held Monday, April 7, to continue discussion of Ordinance #1211 Amending as proposed until all members of the commission had the opportunity to review changes; once reviews it would then be presented to the Mayor and City Commission. He asked if each commissioner had been given a copy to review; it was confirmed each Historic Preservation Commissioner had received a copy of the amended ordinance in their packets prior to the meeting.

Mr. Kuchenbecker concurred there would be a first reading at a later date; however he wanted the Historic Preservation Commission to be aware of the proposed changes.

Mr. Derosier stated making these changes were a great and positive idea to help move the ordinance into the right direction. ***It was moved by Mr. Derosier and seconded by Mr. Johnson to continue the reading of the ordinance amending until the next meeting. Aye - All. Motion carried.*** (The Proposed Ordinance Amending Memorandum is attached hereto on Exhibit E and incorporated herein by this reference.)

Emergency Grant – Fall River County Historic Society – Pioneer Museum

Mr. Kuchenbecker informed the Commission the Deadwood Historic Preservation Commission's Grants Recognition Advocacy & Public Education (G.R.A.P.E.) Committee met and reviewed the emergency grant funding request from Fall River County Historical Society for the Pioneer Museum in Hot Springs, SD. He informed the commission the museum has problems with a leak on the north end of the museum's front door causing water damage to the walls along with ruining books in the retail shop. Mr. Kuchenbecker presented to the commission the G.R.A.P.E. Committee's recommendation for approval of the emergency grant funds in the amount of \$1000. (The letter request is attached hereto on Exhibit F and incorporated herein by this reference.) ***It was moved by Ms. Floyd and seconded by Mr. Namminga to grant emergency assistance to the Pioneer Museum in the amount of \$1000. Aye – All. Motion carried.***

**New Matters before the Deadwood Historic District Commission:**

Case # 14011 – 700 Main Street – Super G Investments – Franklin Hotel

Mr. Kuchenbecker informed the Commission the applicant requests permission to replace the original railings for the exterior front stairs leading to the basement to meet code while keeping the overall appearance of the original configuration as well as reconstruct basement level storefronts based on photographic evidence and add an exterior ductwork on the south side of the building behind emergency stairs on 700 Main Street as submitted. (The application is attached hereto on Exhibit G and incorporated herein by this reference.)

Mr. Fred Thurston, Principle Architect for FourFront Design, Inc. in Rapid City, presented to the Commission historic photos and schematics for the work proposed. He shared that during the process of opening the stairwells to the basement, they found original sections of wood which will be used to accurately represent the initial designs. Mr. Thurston explained to the Commission the original handrail had a 2 rail system with vertical rods placed a maximum width of 4 inches apart as required by building codes. Because he does not have access to the historic vertical rods, Mr. Thurston asked consideration for an alternative means of safety. Mr. Thurston proposed using bronze 1/8 inch in diameter horizontal cables between the vertical posts; he stated the cables would disappear against the brick to insure sleekness to the building, yet provide the safety needed.

Mr. Kuchenbecker agreed the cables would blend nicely and concurred it was a good solution.

Mr. David Stafford, architect from Rapid City, noted to the commission the use of the cable system was used at the Rapid City Civic Center because it was invisible, but functionally safe. Mr. Stafford also stressed they plan to use all the original pieces. He did mention however the height of railings will need to increase as building code requires 42" guardrail and they are currently only at 36"; he stated this can be done without being noticeable.

Mr. Thurston noted in the reconstruction of the stairwells the same detail will be used throughout with stucco and masonry surface which will blend in with the texture and color of the existing building.

Mr. Stafford mentioned to the commission there will be a kitchen in the basement which will need venting; though it is not historic, it is necessary to provide a restaurant in the building. He explained the ventilation system will consist of exhaust duct running vertically up to the roof stack and a makeup air duct running horizontally along the creek. The ventilation system will be made of a Class A prefab painted chimney appropriate of the building and also be camouflaged by the fire escape.

Ms. Floyd asked if part of Super G's Certificate of Appropriateness request was to remove any windows.

Mr. Stafford stated "No", however he pointed out that in removing a wall, an oval window was found and removed; he jokingly asked if she wanted it.

Mr. Johnson asked if there were any considerations to restoring the original signage on the upper cornice of the Franklin Hotel; he stressed on how special it was when seen in the old photos.

Mr. Stafford stated it has indeed been discussed and someday it will be done. Mr. Stafford pointed out an interesting fact that on the right hand curved corner of the building once held a balcony framed with train rail; he noted that if one looks closely, old rails can be seen sticking out and burned off.

Mr. Tom Rensch informed the Commission the plan is for the restaurant to be open in late July.

***Based upon the guidance found in DCO 17.68.050, it was moved by Ms. Floyd and seconded by Mr. Johnson that this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for 700 Main Street. Aye - All. Motion carried.***

**New Matters before the Deadwood Historic Preservation Commission:**

No applications were addressed at this meeting.

**Revolving Loan Fund/Retaining Wall Program Update:**

Retaining Wall Applications

No applications were addressed at this meeting

Revolving Loan Program/Disbursements

***It was moved by Mr. Derosier and seconded by Ms. Floyd to approve the HP Revolving Loan Fund disbursement in the amount of \$190.70, based on information as presented by Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.*** Delinquency Report was reviewed and updates on projects were given. Overview of the Revolving Loan Fund was presented.

Underwriting fee policy recommendation

Mr. Mike Walker, Lending Director of NeighborWorks, informed the Commission the fee for the Verbal Title Reports have increased from \$25 to \$127.20; Credit Report fees increased also for single borrower to \$16.75 and for a couple to \$33.50. Mr. Walker stated the Loan Committee is recommending borrowers pay the Title Search fee of \$127.50 for all loans greater than \$4,999.00 and waive the fee for all forgivable loans \$4999.00 or less as well as charge the borrowers the credit report fee for all loans. ***It was moved by Mrs. Floyd and seconded by Mr. Johnson to approve recommended changes as presented. Aye- All. Motion carried.*** (The NeighborWorks packet is attached hereto on exhibit H and incorporated herein by this reference.)

130 Charles – Rick Ensminger – Special Needs Windows

***It was moved by Mr. Derosier and seconded by Mr. Williams to grant the Windows Program loan to Rick Ensminger, 130 Charles, in amount of \$3,000 as presented. Aye- All. Motion carried.*** (The NeighborWorks packet is attached hereto on exhibit H and incorporated herein by this reference.)

628 Main St – Ron Russo Fairmont Hotel

***It was moved by Mr. Derosier and seconded by Mr. Williams to approve a 90 day extension for loan with balance of \$4992.46 for Ron Russo, 628 Main St, as presented. Aye- All. Motion carried*** (The NeighborWorks packet is attached hereto on exhibit H and incorporated herein by this reference.)

***It was moved by Ms. Floyd and seconded by Mr. Namminga to approve a request to renew for another year a loan for Ron Russo, 628 Main St, as presented. Aye- All. Motion carried*** (The NeighborWorks packet is attached hereto on exhibit H and incorporated herein by this reference.)

**Retaining Wall Program/Disbursements:**

No disbursements were addressed at this meeting.

**Items from Citizens not on Agenda**

**Staff Report:** (items will be considered but no action will be taken at this time.)

Mr. Kuchenbecker reported on the following items:

- Phase Four of the St. Ambrose Cemetery Restoration project is underway; a site visit was made by Mr. Kuchenbecker, Mr. Thad Fuller of CAI Construction and Mike Bender, the architect, to view and move forward as well as notifying the State Archaeological Research Center, Dept. of Health, Coroner's office, Sherriff's office, etc. to follow the proper protocol and care to be taken to continue the project;
- The five firearms found in the Chinatown Excavation returned from Maryland; it was determined one may be a 1860s Colt Special Edition containing a live cartridge while another a 1858-1870s Bacon from the Civil War era;

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- Chinese Coins with Bronze disease are being prepared and will be shipped off to be cured; Deadwood houses one of the largest archaeological collections in South Dakota; it was stressed the need for stewardship to continue to monitor the collection and to stabilize it for future generations;
- Retaining Wall bids for 2 Dudley came in ranging from \$197,000 to \$252,000; homeowner is currently working with NeighborWorks to get proper paperwork completed;
- Bid openings will start next week for 67 Terrace;
- Meeting was held with Dave Stafford yesterday at Adams Museum to discuss exterior restoration which will be presented to the City Commission in next couple weeks;
- Cost for the Wild Bill Exhibit proposed for the lower level of the Eagle Bar may be presented at next meeting;
- Mr. Kuchenbecker will be on vacation from Friday, April 11<sup>th</sup> -18<sup>th</sup> and will be back in office on April 21<sup>st</sup>, 2014;
- Commission's next meeting will be on April 23, 2014 at 5:00 PM.

**Other Business:**

- Ms. Floyd expressed her disappointment on how the demolition of the Sinclair Station went with Mr. Gustafson's choice to flout the rule of law and under take the demo without following due process and obtaining a permit prior to the building coming down; she felt this showed his disrespect not only for the law, but for the City, for the Commission, and for the value of Deadwood's history;

**Adjournment:**

There being no other business, the Historic Preservation Commission Meeting of April 9, 2014 adjourned at 5:15 PM.

ATTEST:

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Willie Steinlicht  
Chairman, Historic Preservation Commission  
*Kate Storhaug, Historic Preservation Office/ Recording Secretary*