

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, May 14, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes
 - a. Approval of Minutes from April 23, 2014
3. Voucher Approval
4. Old or General Business
 - a. Awarding of 2014 HPC Scholarships – Chase Job & Emily Reif
 - b. Cemetery Headstones -#14003 – Goodrich, Celia – DOD 7/24/1907
 - c. Proposed Isotopic Testing of the Burial from 66 Taylor Ave
 - d. 2014 Deadwood Baseball Interpretive Signs – Historic Preservation
 - e. Facebook maintenance agreement through MacroVision – Historic Preservation
 - f. Discussion of Ordinance #1211 amending Chapter 17.68, Historic Preservation
 - g. Wild Bill Exhibit & Diorama – Historic Preservation
 - h. HP Paint Grant Update & Action
5. New Matters before the Deadwood Historic District Commission
 - a. Case# 14010 – 673 Main Street – Awning – David Jensen
 - b. Case# 14014 – 12 Lee Street – Addition & Covered Loading Dock – Blake Haverberg
 - c. Case #14016 – 688 Main St – Awning – Gold Dust Gaming – Merchant Hotel
 - d. Case #14017 – 686 Main St – Awning – Gold Dust Gaming – Merchant Hotel
 - e. Case #14018 – 682 Main St – Awning – Gold Dust Gaming – Merchant Hotel
 - f. Case #14019 – 678 Main St – Awning – Gold Dust Gaming – Butler Building
 - g. Case #14020 – 674 Main St – Awning – Gold Dust Gaming – John H Burns Block
 - h. Case #14021 – 624 Main St – Paint/Trim – Margi Olesen – Wild Bill Bar
 - i. Case #14023 – 555 Main St – Exterior Stucco – Donnie Patton – Tin Lizzie
6. New Matters before the Deadwood Historic Preservation Commission
 - a. Case# 14015 – 63 Taylor Avenue – Siding & Wood Storms – John & Terry Rodiack
 - b. Case #14022 – 71 Forest Ave – Exterior Paint, Stairs & Roof – Roy Sundstrom
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - i. 128 Williams – Bryan & Roberta Arsaga
 - 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

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

**CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION**

Wednesday, May 14, 2014

Present Historic Preservation Commission: Chairman Willie Steinlicht, Vice-Chair George Milos, Michael Johnson, Lynn Namminga, Laura Floyd, Chuck Williams and Darin Derosier were present.

Absent: None

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

Present City Commission members: Vice-Chair Georgeann Silvernail, Dave Ruth Jr. and Jim Van Den Eykel were present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order Wednesday, May 14, 2014 at 5:00 p.m. in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

Approval of April 23, 2014 HPC Minutes:

It was moved by Mr. Johnson and seconded by Mr. Namminga to approve the corrected Minutes of Wednesday, April 23, 2014 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Ms. Floyd and seconded by Mr. Milos to approve the HP Operating Account in the amount of \$61,190.89. Aye – All. Motion carried.

It was moved by Mr. Johnson and seconded by Mr. Namminga to approve the Bonded Account in the amount of \$116,078.08. Aye – All. Motion carried.

Old or General Business:

Awarding of 2014 HPC Scholarships – Chase Job & Emily Reif

Mr. Kuchenbecker presented the 2014 Historic Preservation Commission Scholarship Award to Chase Job, Senior at Lead Deadwood High School, in the amount of \$1000 for continuing education.

Chase Job thanked the Historic Preservation Commission; he plans to attend the University of Mary in Bismarck, ND to study Respiratory Therapy and will be interning under in the City of Deadwood's Archives this summer.

Mr. Kuchenbecker presented the 2014 Historic Preservation Commission Scholarship Award to Emily Reif, Senior at Lead Deadwood High School, in the amount of \$1000 for continuing education.

Emily Reif thanked the Historic Preservation Commission; she plans to attend the University of Nebraska to study Natural Resources.

Cemetery Headstones -#14003 – Goodrich, Celia – DOD 7/24/1907

Mr. Kuchenbecker informed the Commission that on May 6, 2014 the Cemetery Committee met and reviewed headstone grant applications. After reviewing the two applications received, the Cemetery Committee moved to approve one of the two applications for the 2014 Headstone Grant Program as it met the required criteria. *It was moved by Mr. Milos and seconded by Mr. Williams to accept applications #14003 for Celia Goodrich into the 2014 Historic Preservation Commission Headstone Grant Program as presented. Aye – All. Motion carried.* (The recommended application is attached hereto on Exhibit A and incorporated herein by this reference.)

Proposed Isotopic Testing of the Burial from 66 Taylor Ave

Mr. Kuchenbecker informed the Commission the City Archives is requesting permission to enter into a contract with Dr. Eric J. Bartelink, a forensic anthropologist at California State University, to perform isotopic testing on the human remains discovered in 2012 at 66 Taylor Avenue. As part of this project, Dr. Bartelink would use stable isotope analysis to reconstruct the diet and migration history of this unknown individual. *It was moved by Ms. Floyd and*

seconded by Mr. Johnson to allow the City Archives to enter into a contract with Dr Eric Bartelink to perform isotopic testing on the human remains discovered in 2012 at 66 Taylor not to exceed \$1,200.00 out of the 2014 Archaeology Budget. Aye - All. Motion carried. (The Memorandum is attached hereto on Exhibit B and incorporated herein by this reference.)

2014 Deadwood Baseball Interpretive Signs – Historic Preservation

Mr. Kuchenbecker requested permission for the Deadwood Historic Preservation Office to hire Pannier Graphics of Gibsonia, PA to create four (4) 24 x 36 inch baseball panels to be installed at the Keene Memorial Baseball Field; these four panels are titled: "Seventh Cavalry, the Custer Expedition and Base Ball; "Base Ball in the Mining Camps"; "Deadwood's Early Contributors to the National Pastime"; and "Babe Ruth & Bob Meusel Barn Storming Tour of 1922". Mr. Kuchenbecker stated the interpretive panels were created in conjunction with development of the new baseball plaza area and dugout improvements; they would be part of the landscaped area of the baseball park. **It was moved by Mr. Milos and seconded by Mr. Derosier to allow the Deadwood Historic Preservation Office to enter into a contract with Pannier Graphics of Gibsonia, PA for the creation of four (4) 24 x 36 inch baseball panels to be installed at the Keen Memorial Baseball Field with cost not to exceed \$3,000.00 from Public Education. Aye - All. Motion carried.** (The Memorandum is attached hereto on Exhibit C and incorporated herein by this reference.)

Facebook maintenance agreement through Macro Vision – Historic Preservation

Mr. Kuchenbecker stated that in October 2013 the Deadwood Historic Preservation Office launched the Historic Preservation Office Facebook page with the help of Grant Welford and Macro Vision, LLC at the cost of \$1500. With the success of the Facebook page, Mr. Kuchenbecker requested approval to continue to develop of the Historic Preservation Facebook page for the next twelve months at the cost of \$3000; this project was budgeted for 2014 from the Public Education and Advocacy line. **It was moved by Mr. Derosier and seconded by Mr. Milos to recommend approval to the City Commission for Historic Preservation office to contract services for the maintenance and updating of the Historic Preservation Facebook page by Macro Vision, LLC over the course of the next 12 months not to exceed \$3,000 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.)

Discussion of Ordinance #1211 amending Chapter 17.68, Historic Preservation

Mr. Kuchenbecker reviewed for the Commission the proposed revisions he is suggesting to be made to the Chapter 17.68 of the Deadwood Codified Ordinances under Ordinance #1211. These proposed changes also include recommendations from Mr. Mark Wolf made for the Commission in an April 2006 contract for services. The following outline the proposed changes:

Page 5 Section E of **17.68.040 Rules of procedure.**

~~E.—Certificates of appropriateness issued by the historic district commission and project approvals issued by the historic preservation commission shall expire twelve (12) months after issuance. When a certificate or an approval have expired, an applicant may seek a new certificate or approval.~~

Page 6 Section D of **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.**

- ~~4.~~ 4. Whether or not the resource is structurally sound, including the owner's efforts to properly maintain the resource.
- ~~5.~~ 5. Whether or not the resource can be rehabilitated on site to provide for any reasonable beneficial use of the property, taking into consideration the various, federal, state and local incentives for such projects.
- ~~6.~~ 6. Whether or not it is possible and/or appropriate to move the resource to another site in the historic district(s).
- ~~4-7.~~ 7. Whether or not appropriate measures are proposed to be taken with respect to the potential for the discovery of archaeological resources on the subject property.
- ~~5-8.~~ 4. The commission shall consider the difficulty or impossibility of reproducing such a resource because of its texture, design, material or detail.
- ~~9.~~ 5. An applicant for demolition must receive a certificate of appropriateness...

Page 6 Section D of **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.**

10. In cases of partial demolition affecting an historic resource, the application shall include proof that the partial demolition is required for the renovation, restoration or rehabilitation of the resource and the applicant has mitigated to the greatest extent possible any impacts on the historical and architectural significance of the resource, and any other resources located on the property.
- ~~6.11.~~ Prior to the issuance of a permit for demolition or partial demolition, the commission may require the applicant to provide information about the resource including the date of original construction, significant events and occupants, architectural features and a description of the building through photographs, plans and maps. As a part of this process, the commission may require the applicant to allow the Historic Preservation Officer or that person's appointee on the subject property to provide additional photo documentation of the resource. The city may further require the **preservation** or salvage of specific architectural elements of the resource.
- ~~7.12~~ —6. Applicants that have
- ~~8.13~~ —7. When the commission recommends approval of demolition of a resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Compliance with SDCL 1-19A 11.1 shall be considered prior to the issuance of a demolition permit.

Page 7 Section A-H

17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.

- A. Whenever any application for a certificate of appropriateness or project approval is filed with the historic district or historic preservation commission, the commission(s) and/or their staff shall immediately notify the city building official that the application has been filed.
- Similarly, whenever the city building official becomes aware that an application has been filed for a permit affecting a property under the jurisdiction of the historic district or historic preservation commission, the city building official shall immediately notify the commission chairperson or vice-chairperson, if the chairperson is unavailable, and/or their staff that such an application has been filed.
- B. The commissions and/or their staff shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the commissions shall not be considered to have been filed for the purposes of this chapter. The commissions shall develop and adopt standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.
- C. The chairperson or vice-chairperson...
- D. The applicant shall, upon request, have the right to ...
- E. At the scheduled hearing, the applicant ...
- F. The commissions shall have the right ...
- G. The issuance of a certificate of appropriateness or project approval shall not relieve an applicant of the need for a companion building permit, conditional use permit, variance or other authorization from compliance with any other requirement or provision of the laws of the city or the state concerning zoning, construction, repair or demolition. In all such cases, applicants are encouraged to apply first for a certificate of appropriateness or project approval as other city agencies will be advised by the historic preservation or historic district commissions in making their subsequent decisions. No building permit which affects a resource shall be issued by the city building official prior to the issuance of a certificate of appropriateness or project approval by the historic district or historic preservation commission.
- H. The project under with the certificates of appropriateness issued by the historic district commission or a project approval issued by the historic preservation commission for the purposes other than the moving or demolition of a resource shall be completed within twelve (12) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension. Failure to comply with the approved project shall be deemed in violation of this chapter and subject to applicable measures of law under DCO 17.68.120.

Certificates of appropriateness and project approvals issued by either commission for the moving or demolition of

a resource shall expire six (6) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension.

Page 9 Section A-F of **17.68.070 Unreasonable economic hardship.**

A. When a claim of unreasonable economic hardship is ...

B. The commission may require that an applicant furnish ...

~~B.C.~~ The consideration for economic hardship shall not include willful or negligent acts by the owner or by their agent, purchase of the property for more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.

~~C.D.~~ The commission...

~~D.E.~~ Should the commission determine ...

~~E.F.~~ Should the applicant satisfy the commission...

Page 14 Section A-C of **17.68.120 Enforcement and penalties.**

A. Civil Penalty.

1. Any person who constructs, alters, relocates, or demolishes any building...

2. If demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a certificate of appropriateness, or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resource as set forth above, may be denied for a period of ten (10) years. ~~In addition, the applicant may not be entitled to have issued to the applicant, by any city office, a permit allowing any curb cuts on the subject property for a period of ten (10) years from and after the date of such demolition.~~

3. If any other undertaking or project other than the demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a required certificate of appropriateness or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resources as set forth above, may be denied for a period of five (5) years. ~~In addition, the applicant may not be entitled to have issued to the applicant, by any city office, a permit allowing any curb cuts on the subject property for a period of five (5) years from and after the date of such undertaking or project.~~

4. If any resource found to be in a state of demolition by neglect as outlined in 17.68.100 should be allowed by the owner or owners to remain in a state of demolition by neglect, then any City permits, by any city office, for any property issued to the owner or owners, with the exception of those permits expressly for the necessary repairs to restore the resource to a safe and sound condition, may be denied for a period of ten (10) years or until such time as the resource has been returned to a safe and sound condition, whichever is shorter. ~~In addition, the owner or owners may not be entitled to have issued to them, by any city office, a permit allowing any curb cuts on any property for a period of ten (10) years, or until such time as the resource has been returned to a safe and sound condition, whichever is shorter.~~

5. The Commission(s) shall institute appropriate action or proceeding in the name of the City of Deadwood to enjoin, correct or abate any violation of this chapter including but not limited to withholding any City permits, by any city office, and/or any actions allowable under SDCL 42-7B, , et seq, if applicable.

B. Criminal Penalty. Any person or legal entity who constructs, alters, relocates, demolishes, or intentionally allows demolition by neglect of any building or resource in violation of this chapter or who causes any building or resource to be constructed, altered, relocated, or demolisheds in violation...

C. Failure to perform any act required by this ordinance or performance of any act prohibited by this ordinance or of any conditions of any Certificate of Appropriateness or Project Approval issued hereunder, shall constitute a violation and be subject to penalties provided in this or any other applicable city ordinance or state law. Each day on which there is a failure to perform a required act, or on which a violation exists shall constitute a separate violation for purposes of this ordinance.

Page 15 of **17.68.150 Project review by state.**

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Projects requiring review pursuant to this chapter, after approval by the historic district commission or historic preservation commission, will be submitted to the South Dakota Historical Preservation [Center Office](#) for review as required by SDCL 1-19A-11.1 or any written...

With no action to be taken at this time, Mr. Kuchenbecker asked the Commission for their input to help define ordinance; their suggestions would go to Legal then to the City Commission. Mr. Kuchenbecker also thanked HP Commissioner Chuck Williams for coming in to the office discuss and clarify the ordinance changes.

Ms. Williams suggested under **17.68.010 Historic overlay zone** to have more of a definition for the classification of planning units and zones. She stated under **17.68.020 Historic preservation commission** and **17.68.030 Historic district commission** that these two bodies should be defined making them mirror each other in some aspects; this will help clarify the overlay of where the units and zones are under.

Ms. Williams advised to add a section under **17.68.040 Rules of procedure** addressing her concern as to whether or not there enough for a quorum to hold a vote in the event a Commissioner needs to be recused, has a Conflict of Interest or abstain from voting. She stressed that clarification of the Roberts Rules of Order will assist in filling a spot if needed for a quorum.

Regarding **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals**, Ms. Williams expressed her concern that as it is currently written, she doesn't feel it is paying enough attention to make sure the Commission is dealing with a balanced approach. She advises having verbiage concerning more of an economic disincentive. Her case in point was if a commercial entity requests to remodel residential resource, clarifying what their cost of rehab and cost of converting to zoned use be on the resource.

Ms. Floyd noted her agreement for having a timeframe specified in the ordinance.

Ms. Williams agreed with Ms. Floyd on the addition to Page 8 Section H regarding a given timeframe. She stated she would like to see a provision for some type of tolling set within the ordinance which could be helpful if the commission became involved with litigation or any acts of God.

Ms. Williams also noted Mr. Tellinghuisen requested to review the ordinance and had no real concerns to the changes.

Mr. Milos addressed his concern with the wording of Page 9 Section C referencing Market Value and what is considered fair.

Ms. Williams agreed with Mr. Milos's concern and suggested broadening the language to state "this Commission should consider Pros and Cons."

Mr. Derosier also noted his concern with how arbitrary the wording is for this section.

Ms. Floyd wanted clarification of what the intent was regarding the wording in Section C; she felt that if someone made the bad decision to get involved with a resource that the Commission shouldn't be held liable for their mistake.

Mr. Kuchenbecker clarified that this clause would hopefully prevent negligent owners from profiting from their own negligence and other fairly common excuses used to obtain a demolition permit.

Mr. Milos noted that what we see as negligence may not be perceived as such to a homeowner and may be a possibility for a future lawsuit.

Ms. Williams addressed the general due process and her concern regarding the **17.68.080 Appeals** section. She struggled with the notion of an individual not happy with a decision made by the Commission to be told they must get to Circuit Court for resolve, instead of having an Appeals Board. She understood the reason for it being in the ordinance and has gotten the impression the City Commission doesn't want to hear everything the Historic Preservation Commission does. Ms. Williams informed the Commission that Mr. Tellinghuisen had inquired as to why there was no Appeals Board in place other than being direct to the Circuit Court.

Mr. Derosier noted there is a Board of Appeals in place and asked if broadening that force to include situations such as the moving or demolition of a resource.

Ms. Williams agreed that it may be a good idea; however, she was not sure if that was possible because that Board deals mainly with building codes.

Mr. Derosier asked if rewriting the By-Laws is what would need to be done.

Ms. Williams advised limiting the Appeals to specific items. She noted there are Public entities that do have this provision, but advised modifying it to meet the needs of ordinance.

Mr. Kuchenbecker referenced Section A-C of **17.68.120 Enforcement and penalties** pertaining to curb cuts or

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driveways; he pointed out the Dept. of Transportation has the final say on curb cuts.

Commissioner Chuck Williams and Ms. Williams both agreed with striking the section on curb cuts.

Ms. Williams questioned what is allowed to be pursued in a Civil Penalty such as a gaming license or liqueur license. She stated she has no issue with the possibility that if we want to have something that allows for a civil penalty as it is currently written, so long as the deciding entity is the City Commission. She feels there needs to be teeth in the ordinance.

Ms. Floyd asked what the process would be have the City Commission take action toward a violation needing penalties.

Mr. Kuchenbecker clarified there would need to be a recommendation from the Historic Preservation Commission to the City Commission to pursue a specific penalty.

Ms. Floyd stated a lot of points discussed or addressed by the Commission has been considered. With the exception of addressing some clarification and definition of a couple sections, she feels including these revisions are appropriate and natural to have within ordinance.

Mr. Derosier stated a clearer definition of the Districts under **17.68.010 Historic Overlay Zone** is needed.

Chair Steinlicht agreed the definition of the Districts is greatly needed.

Mr. Milos agreed with the list of penalties that can be enforced if one disregards these ordinances.

Mr. Derosier asked if there was a plan to review the ordinance prior to the first reading.

Mr. Kuchenbecker and Ms. Williams estimated it would be about two months before the ordinance will be read.

Wild Bill Exhibit & Diorama – Historic Preservation

Mr. Kuchenbecker informed the Commission that Darrel Nelson, Exhibits Curator with Deadwood History Inc., has been working the Historic Preservation Office on the possibilities of designing and building a diorama of the famous saloon scene in which Wild Bill Hickok was murdered at the original location on Main Street. Mr. Kuchenbecker stated Mr. Nelson has been in contact with the Dorfman Museum Figures to create realistic mannequins of each figure to be represented within the diorama; they have historic photos of Wild Bill and Captain Massie, but the other five or six male figures have no documentation and need only to be appropriate to the era. The scene is to depict the inside of the very roughly constructed saloon in 1876 Deadwood in which a poker game is in progress. There would be four players playing cards at the table, along with a bartender at a bar, Jack McCall lurking in the background and a couple of onlookers. All props, historic clothing and interpretive panels will be included in the cost. Mr. Kuchenbecker requests approval from the Historic Preservation Commission to recommend to the City Commission to grant approval to create a Nutall's & Mann Saloon No. 10 exhibit and James Butler "Wild Bill" Hickok interpretive display and diorama in the original location of the Saloon No. 10 at a cost not to exceed \$60,000 from the Historic Preservation public education line item. ***It was moved by Mr. Derosier and seconded by Mr. Milos to recommend approval to the City Commission for Historic Preservation office to create a "Wild Bill" Hickok Interpretive display and diorama in the original location of the Saloon No. 10 with cost not to exceed \$60,000 from 2014 Public Education Advocacy Budget line item with stipulation for cost to be discussed in the future if needed. Aye - All. Motion carried.*** (The diagram with descriptions is attached hereto on Exhibit F and incorporated herein by this reference.)

HP Paint Grant Update & Action

Mr. Kuchenbecker noted to Historic Preservation Commission their approval for expanding the Paint Grant program to include commercial structures. He informed the Commission the interest for this program has grown with a concentrated effort to clean up the downtown area for the upcoming tourist season. Because the rules and regulations for the local historic district require painting of properties within this district to garner a Certificate of Appropriateness from the Historic District Commission, Staff is requesting a waiver of this requirement through the end of July 2014 in order to facilitate visual enhancements to the core historic commercial district; Staff will still review the colors through the paint program. ***It was moved by Ms. Floyd and seconded by Mr. Milos to waive the Certificate of Appropriateness until October 1, 2014 and allow staff to approve colors and painting work with property owners to facilitate the paint grant program within the local historic district. Aye - All. Motion carried.*** (The memo is attached hereto on Exhibit G and incorporated herein by this reference.)

New Matters before the Deadwood Historic District Commission:

Case # 14010 – 673 Main Street – Awning – Dave Jensen

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Mr. Kuchenbecker informed the Commission the applicant requests approval to install a canvas awning four (4) feet in height and with a four (4) foot projection and a 12" valance; the proposed colors will be a royal blue with an orange and cream stripe on 673 Main Street as submitted. (The application is attached hereto on Exhibit H and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Williams 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 673 Main Street. Aye - All. Motion carried.***

Case # 14014 – 12 Lee Street – Addition & Covered Loading Dock – Blake Haverberg

Mr. Kuchenbecker informed the Commission the applicant requests approval to reconstruct a portion of an addition which was historically part of the Black Hills Mercantile Company. The applicant is also requesting to convert an existing addition to resemble a covered loading dock on 12 Lee Street as submitted. (The application is attached hereto on Exhibit I and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos 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 12 Lee Street. Aye - All. Motion carried.***

Case # 14016 – 688 Main Street – Gold Dust Gaming – Merchant Hotel

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the awning cover with a silica barley (gold and black flecked) canvas material on 688 Main Street as submitted. (The application is attached hereto on Exhibit J and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Derosier 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 688 Main Street. Aye - All. Motion carried.***

Case # 14017 – 686 Main Street – Gold Dust Gaming – Merchant Hotel

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the awning cover with a silica barley (gold and black flecked) canvas material on 686 Main Street as submitted. (The application is attached hereto on Exhibit J and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Derosier 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 686 Main Street. Aye - All. Motion carried.***

Case # 14018 – 682 Main Street – Gold Dust Gaming – Merchant Hotel

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the awning cover with a silica barley (gold and black flecked) canvas material on 682 Main Street as submitted. (The application is attached hereto on Exhibit J and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Derosier 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 682 Main Street. Aye - All. Motion carried.***

Case # 14019 – 678 Main Street – Gold Dust Gaming – Butler Building

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the awning cover with a silica barley (gold and black flecked) canvas material on 678 Main Street as submitted. (The application is attached hereto on Exhibit J and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Derosier 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 678 Main Street. Aye - All. Motion carried.***

Case # 14020 – 674 Main Street – Gold Dust Gaming – John H Burns Block

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the awning cover with a silica barley (gold and black flecked) canvas material on 674 Main Street as submitted. (The application is attached hereto on Exhibit J and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Milos and seconded by Mr. Derosier 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 674 Main Street. Aye - All. Motion carried.***

Case # 14021 – 624 Main Street – Paint/Trim – Margi Olesen – Wild Bill Bar

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Mr. Kuchenbecker informed the Commission the applicant requests approval to paint the door and trim on the storefront on 624 Main Street as submitted. (The application is attached hereto on Exhibit K and incorporated herein by this reference.) ***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 624 Main Street. Aye - All. Motion carried.***

Case # 14023 – 555 Main Street – Exterior Stucco – Donnie Patton – Tin Lizzie

Mr. Kuchenbecker informed the Commission the applicant requests approval to redo stucco on back wall on 555 Main Street as submitted. (The application is attached hereto on Exhibit L and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Ms. Floyd and seconded by Mr. Derosier 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 555 Main Street. Aye - All. Motion carried.***

New Matters before the Deadwood Historic Preservation Commission:

Case # 14015 – 63 Taylor Ave – Siding & Wood Storms – John & Terry Rodiack

Mr. Kuchenbecker informed the Commission the applicant requests permission to repair, replace, and restore original siding; remove, repair and or replace ten storm windows on 63 Taylor Ave as submitted. (The application is attached hereto on Exhibit M and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Derosier and seconded by Mr. Milos 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 grant project approval as submitted for 63 Taylor Ave. Aye - All. Motion carried.***

Case # 14022 – 71 Forest Ave – Exterior Paint, Stairs & Roof – Roy Sundstrom

Mr. Kuchenbecker informed the Commission the applicant requests permission to repaint exterior; re-anchor and replace deck supports; replace deck railings; replace exterior deck stairs; re-shingle roof with asphalt shingles; and replace and restore damaged soffits and trim at 71 Forest Avenue as submitted. (The application is attached hereto on Exhibit N and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Derosier and seconded by Mr. Milos 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 grant project approval as submitted for 71 Taylor Ave. Aye - All. Motion carried.***

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. Milos and seconded by Mr. Namminga to approve the HP Revolving Loan Fund disbursement in the amount of \$31,938.00, 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.

128 Williams St – Bryan and Roberta Arsaga

It was moved by Mr. Milos and seconded by Mr. Johnson to approve the Subordination Request for all loans for Bryan and Roberta Arsaga, 128 Williams St, as it met all criteria for forgiveness as presented. Aye- All. Motion carried. (The NeighborWorks packet is attached hereto on exhibit O 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:

- Historic Preservation Office is advertising in-house for a part time Office Assistant at 25 hours per week;
- Lower Main Street Visitor Center's Public Open House featuring architectural designs was held last week;

HPC Meeting

Wednesday, May 14, 2014

- DHPC received a Master Craftsmanship Award for retaining wall constructed by CAI at 29 Terrace;
- Revitalization Committee has been meeting weekly in preparation for Roger Brooks' upcoming visit in July;
- Arbor Day has been moved to May 21st; Kids' artwork contest will be displayed for public to be viewed at Visitor Center;
- GRAPE Committee met yesterday to review request from Nowlin Town Productions for support on a documentary on Casey Tibbs;
- Mr. Milos indicated he will not seek to be reappointed to Historic Preservation Commission; a big thank you was given to George from his fellow commissioners and staff;
- Historic Preservation Commission's next meeting will be May 28, 2014 at 5:00 PM.

Other Business:

- Ms. Joy McCracken announced NeighborWorks is preparing and organizing their 19th Annual "Paint the Town"; they are painting Ms. Georgeann Silvernail's house;
- Mr. Toews informed the Commission that 50 years ago, Mr. Les Karas and Les' father had built the stagecoach that he drove from Denver to Deadwood loaded with 600 lbs. of silver for the 75th Anniversary of South Dakota's statehood; he recommended the Commission recognize and honor Mr. Karas sometime during the 125th Anniversary celebration coming up this summer;
- Mr. Steinlicht read a "Thank You" from the Deadwood History, Inc. for donating to the funding of the youth archaeology camps and the Deadwood Stagecoach Days Event in September;
- Mr. Steinlicht read a "Thank You" from the Verendrye Museum and the "Bring It Home" Committee for granting funds to help in returning the old Chicago North Western railroad depot to Fort Pierre;
- Mr. Namminga noted the gateway monuments look great;
- Mr. Van Den Eykel thanked the Commission on behalf of the Tomahawk Country Club for the grant funds in the amount of \$10,000 to help in renovating the historic golf course;
- Ms. Silvernail thanked Mr. Milos for his service on the commission;
- Mr. Kuchenbecker announced appointments of Commissioners as follows: Newly elected Commissioner Dave Ruth Jr. is Historic Preservation/Zoning; Commissioner Jim Van Den Eykel is Finance/Library; Commissioner Gary Todd is Trolley/Safety; Commissioner Georgeann Silvernail is Streets/Water/Public Buildings/Parks & Recs; and Mayor Chuck Turbiville is Police/Fire.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting of May 14, 2014 adjourned at 6:48 PM.

ATTEST:

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