

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, June 25, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
 - a. Swear in Tom Blair
2. Election of Vice Chair
3. Approval of Minutes
 - a. Approval of Minutes from June 11, 2014
4. Voucher Approval
5. Old or General Business
 - a. 2014-2015 Committee Assignments
 - b. 2015 Budget Meeting schedule – July 15 (8:00 – 10:00 a.m.) & July 17 (if needed)
 - c. Headstone Grant Application revision
6. New Matters before the Deadwood Historic District Commission
 - a. Case # 14039 – 669 Main St – Awning Removal – Harlan Kirwan
7. New Matters before the Deadwood Historic Preservation Commission
 - a. Case# 14038 – 15 Washington – Windows – Bernard Voll
 - b. Case# 14040 – 17 Selbie – Siding/Windows – Randy & Teri Adler
 - c. Case # 14041 – 27 Lincoln – Siding/Windows– Kris & Melanie Fenton
8. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - i. Tucker Inn/Shirlene Joseph – 771 Main St
 - ii. Valerie Wayne – 318 Williams
 - c. Retaining Wall Program / Disbursements
9. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
10. Staff Report (*Items considered but no action will be taken at this time.*)
11. Committee Reports (*Items will be considered but no action will be taken at this time.*)
12. Other Business
13. Adjournment
14. Executive Session with potential action

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, June 25, 2014

Present Historic Preservation Commission: Chair Laura Floyd, Michael Johnson, Lynn Namminga, Chuck Williams, Thomas Blair, Darin Derosier and Lyman Toews 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: Georgeann Silvernail, Dave Ruth Jr. and Jim Van Den Eykel were present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, June 25, 2014 at 5:00 PM in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

The City Attorney, Ms. Williams, swore in newly appointed Historic Preservation Commissioner Thomas Blair.

Election of Officers:

Mr. Namminga nominated Mr. Johnson as Vice-Chair; Mr. Johnson refused nomination and in turn nominated Mr. Derosier as Vice-Chair.

It was moved by Mr. Johnson and seconded by Mr. Williams to nominate Darin Derosier as Vice-Chair of the Historic Preservation Commission for the period of June 25, 2014 to May 27, 2015. Hearing no other nomination from the Commission, it was moved to close nominations for the Deadwood Historic Preservation Commission Chair. Aye – All. Motion carried.

Aye – All. Motion carried to approve the nomination of Mr. Derosier as Vice-Chair of the Deadwood Historic Preservation Commission.

Approval of June 11, 2014 HPC Minutes:

It was moved by Mr. Johnson and seconded by Mr. Williams to approve the minutes of Wednesday, June 11, 2014 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Mr. Derosier and seconded by Mr. Namminga to approve the HP Operating Account in the amount of \$303,989.43. Aye – All. Motion carried.

Old or General Business:

2014-2015 Committee Assignments

Mr. Kuchenbecker announced the assignments of the commissioners to each committee.

Mr. Toews asked if the assignment duration of a committee was a year.

Mr. Kuchenbecker confirmed it was for duration of one year.

2015 Budget Meeting schedule – July 15 (8:00 – 10:00 a.m.) & July 17 (if needed)

Mr. Kuchenbecker informed the Commission the Budget letters went out on Friday, June 20 requesting information back from the Commission; once received, the Historic Preservation office will compile all the information and send it out for review prior to the meetings scheduled for July 15, 2014, starting at 8:00 AM and July 17 if needed. Mr. Kuchenbecker informed the commission the budget meeting for 2013 took approximately one hour.

Chair Floyd asked if this Budget meeting was mandatory for Commissioners to attend.

Mr. Kuchenbecker confirmed it would be.

Chair Floyd asked the Commission if there were any known conflicts. There was none.

Headstone Grant Application revision

Mr. Kuchenbecker informed the Commission the cost of the stone used to make headstones had increased by \$100. Prior to the Cemetery Committee meeting on June 17, Mr. David Akrop of the Deadwood Granite & Marble Works submitted a letter requesting that the price of the monuments be raised from \$450 to \$550 to offset the price of the stone. It was suggested to remove the amount for the monument and re-word the application to read: "Successful applications will be awarded a 16 inch tall by 16 inch wide wedge shaped headstone...." The Cemetery Committee requests the Commission to accept the \$100 increase from \$450 to \$550 per monument and revised wording of application. ***It was moved by Mr. Derosier and seconded by Mr. Johnson to approval the increased stone cost and revised wording of the Cemetery Headstone Grant Application as recommended by the Cemetery Committee. Aye - All. Motion carried.*** (The Memorandum is attached hereto on Exhibit A and incorporated herein by this reference.)

New Matters before the Deadwood Historic District Commission:

Case # 14039 – 669 Main Street – Awning – Harley Kirwan

Mr. Kuchenbecker informed the Commission the applicant requests approval to remove awning at 669 Main Street as submitted. (The application is attached hereto on Exhibit B and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Derosier 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 669 Main Street. Aye - All. Motion carried.***

New Matters before the Deadwood Historic Preservation Commission:

Case # 14038 – 15 Washington – Windows – Bernard Voll

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace or repair rotted wood on exterior of house and swing garage doors to match the existing wood and paint garage conducive to match house; Replace storm windows on upper level from aluminum windows currently in place to Victorian style wood storm windows. The applicant is also requesting permission to build a gazebo on north end of property in front yard at 15 Washington Street as submitted in the Project Approval application. (The application is attached hereto on Exhibit C and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Toews and seconded by Mr. Namminga 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 15 Washington. Aye - All. Motion carried.***

Case # 14040 – 17 Selbie Street – Siding/Windows – Randy & Teri Adler

Mr. Kuchenbecker informed the Commission the applicant requests approval to replace the existing steel siding with new steel siding and all vinyl clad Andersen Windows with Berkshire Elite Vinyl windows at 17 Selbie Street as submitted. Mr. Kuchenbecker stated the applicant was under the impression the resource was contributing, however after some checking, he found that though his predecessor attempted to have resource listed as contributing, the process had not been completed therefore leaving the resource as non-contributing. Mr. Kuchenbecker also noted the applicant had been offered the option to take advantage of both Siding & Window programs, but they declined. Mr. Kuchenbecker informed that Commission the applicant had looked at alternate cost of both vinyl verses wood and it was determined there was approximately a \$20k difference. (The application is attached hereto on Exhibit D and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Derosier and seconded by Mr. Toews 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 17 Selbie Street. Aye - All. Motion carried.***

Case # 14041 – 27 Lincoln – Siding/Windows – Kris & Melanie Fenton

Mr. Kuchenbecker informed the Commission the applicant requests permission to replace 3 windows in 3rd floor dormer with Marvin double hung windows; replace siding on dormer with Hardie Plank lap siding with 4 ¾ inch reveal to match rest of house located at 27 Lincoln Avenue as submitted. (The application is attached hereto on Exhibit E and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Namminga and seconded by Mr. Johnson 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 27 Lincoln. Aye - All. Motion carried.***

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

HPC Meeting
Wednesday, June 25, 2014
No applications were addressed at this meeting.

Revolving Loan Program/Disbursements

It was moved by Mr. Derosier and seconded by Mr. Blair to approve the HP Revolving Loan Fund disbursement in the amount of \$10,331.15, 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.

Tucker Inn/Shirlene Joseph – 771 Main Street

Mr. Toews asked for clarification on the process for loan and project approval.

Ms. McCracken explained the normal process is for an applicant to complete and submit a Project Approval to the Historic Preservation Commission to approve prior to any loans being approved; however they can apply for funding at the sometime. However due to the need for a new roof and the delay for the applicant to submit financial information, the project was approved and completed prior to funding approval.

Mr. Toews questioned what would happen if the project was approved and then funding was denied.

Mr. Derosier informed Mr. Toews in previous discussions, cases where there was a threat to property and no apparent problem for the Historic District, the commission had given Mr. Kuchenbecker permission to grant that building permit so work could start to mitigate any damage. He stated a roof is considered an emergency where at times it cannot wait for the Commission to approve.

Ms. McCracken stated often both the Project Approval and loan request are presented to the Commission on the same night as the applicant is working with both Mr. Kuchenbecker and NeighborWorks. She stressed that was one of the benefits of the Loan Committee to discuss the status of the approval of the project before the loan is presented.

Mr. Toews agreed with approving project in a timely manner and giving Mr. Kuchenbecker the authority to approve projects for resources needing work done.

It was moved by Mr. Derosier and seconded by Mr. Johnson to approve the Revolving Loan Fund to Shirlene Joseph of Tucker Inn, 771 Main Street, in the amount of \$10,000.00 as presented. Aye- All. Motion carried. (The NeighborWorks packet is attached hereto on exhibit F and incorporated herein by this reference.)

Valerie Wayne – 318 Williams

Ms. McCracken explained the property is in very poor condition; the applicant is working with a local rental management company who is not able to rent property due to mold in bathroom and overall poor condition of the house. In an effort to save the building and bring it up to standards, applicant has submitted request for funding for Siding and Revolving Loan Fund. Due to past delinquencies and high debt ratios, the Loan Committed did not recommend approving the loan requests.

Mr. Namminga asked if building was contributing.

Chair Floyd stated her understanding was the applicant was not current on her existing loans at this time which total approximately \$1500 and applicant is asking for another \$35,000 in funding.

Ms. McCracken stated that was correct.

Ms. McCracken acknowledged the tough position the Commission was placed as it is a contributing house that does need help, but there is no qualified applicant. She continued to state NeighborWorks has programs as well, but they are contingent on owner occupied. But with it being an non-owner occupied property, applicant would not qualify.

Chair Floyd noted if the loan is not granted, this house, if not already, would be put onto the Demolition by Neglect list and follow a process in which liens may be filed against property which may or may not recoup amount due on loans.

Mr. Kuchenbecker noted the Loan Committee voted to recommend to the Commission to deny the loan request. He informed the Commission when he had spoken with Ms. Wayne regarding the programs and applications, she stated she didn't have the money to enter into the program; however she would like the City to still repair the wall. Mr. Kuchenbecker stated his last question to Ms. Wayne was if the City was to fix the wall, was she willing to come up with her share of the cost whether by a loan or through equity; Mr. Kuchenbecker has yet to receive a response back. He informed the Commission, until he receives a solid financial commitment from Ms. Wayne toward her portion of the retaining wall, no engineer or reconstruction of the wall will be done.

HPC Meeting

Wednesday, June 25, 2014

Mr. Kuchenbecker informed the Commission Ms. Wayne was on the list last week to receive a Minimum Maintenance letter dated June 19 from the City Building Inspector, Mr. Keith Umentum notifying her the property must be cleaned up and brought to code; Ms. Wayne would have 20 days to appeal. He continued the second letter would go out giving the property owner 90 days to comply or it would be put in front of the courts.

It was moved by Mr. Derosier and seconded by Mr. Blair to DENY the Siding program to Valerie Wayne, 318 Williams, in the amount of \$10,000.00 as presented. Aye- All. Motion carried. (The NeighborWorks packet is attached hereto on exhibit F and incorporated herein by this reference.)

It was moved by Mr. Derosier and seconded by Mr. Namminga to DENY the Residential Loan program to Valerie Wayne, 318 Williams, in the amount of \$25,000.00 as presented. Aye- All. Motion carried. (The NeighborWorks packet is attached hereto on exhibit F 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:

- Besides the letter sent for 318 Williams, there were several others mailed out addressing Minimum Maintenance to the following properties: 61 Madison, 227 Williams Street, 824 Main Street, 350 Main Street, and 3 Shine Street;
- A meeting will be scheduled for the Demolition by Neglect Committee to discuss besides Minimum Maintenance which properties need to be declared Demolition by Neglect and called in to be addressed at a hearing;
- Rec Center Windows are currently being replaced; only one issue occurred due to incorrect arc dimensions which was rejected by the City and is being rectified by the contractor;
- Adams House Roof is nearing completion by Seco Construction;
- Budget requests are coming in and a report will be put together to review;
- St. Ambrose Cemetery is coming along and is over half done;
- Hot Springs Sanitarium was listed as one of eleven most endangered preservation projects in the nation;
- Staff from the National Trust is out visiting the Black Hills; they made a stop to tour Deadwood today and was very impressed with the city's preservation efforts;
- Roger Brooks "Branding Camp" is scheduled for July 7-11, 2014;
- Historic Preservation Commission's next meeting will be July 9, 2014 at 5:00 PM.

Other Business:

- Chair Floyd proposed scheduling a Policies and Procedures meeting as a refresher course regarding the mission, standards and procedures for the Commission to follow; the meeting is scheduled for July 23, 2014 at 3:30 PM.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting of June 25, 2014 adjourned at 5:49 PM.

ATTEST:

Laura Floyd
Chairman, Historic Preservation Commission
Kate Storhaug, Historic Preservation Office/ Recording Secretary