

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, July 24, 2013 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes
3. Voucher Approval
4. Old or General Business
 - a. Chinese Burner and Alter Project – Wong Family
 - b. Intern partnership with the Deadwood Public Library – Kevin Kuchenbecker
5. New Matters before the Deadwood Historic District Commission
 - a. Case# 13038 – 124 Sherman Street – Conversion to Family Dollar – Excell Deadwood, LLC
 - b. Case# 13039 – 1906 Deadwood Mt. Drive – Awning – Tim Conrad
6. New Matters before the Deadwood Historic Preservation Commission
 - a. Case# 13003 - 270 Main Street – Excavation/Parking – Mike Gustafson – Continued from Meeting on Wednesday, February 27, 2013
 - b. Case# 13019 – 270 Main Street – Excavation and Parking – Mike Gustafson
 - c. G.R.A.P.E. Committee Recommendations from July 9, 2013 Meeting
 - i. Approve Following Outside of Deadwood Grants in total amount of \$132,000:
 - 1). Society of Black Hills Pioneers – West Lead Cemetery - \$5,100
 - 2). Little Big Horn Associates, Inc. – Bronze Plaque for Custer Campsite - \$1,500
 - 3). Buffalo Gap Area Community Center – Second Floor Rehabilitations - \$11,300
 - 4). City of Mobridge – Phase III Oscar Howe Mural Restoration Project - \$20,000
 - 5). City of Lead – South Lead Cemetery - \$5,100
 - 6). Cramer-Kenyon Heritage Home – Cupola - \$3,000
 - 7). Fall River County Historical Society/Pioneer Museum – Masonry Repairs - \$10,000
 - 8). Lead Country Club – Clubhouse Restorations - \$7,500
 - 9). Booth Society, Inc. – Porch and Roof - \$12,500
 - 10). Historic Homestake Opera House Society – Men’s Lounge, Bathroom, & Coat Room - \$15,000
 - 11). Augustana College - Administration Building Windows - \$15,500
 - 12). Butte County Historical Society – Ft. Pierre to Deadwood Trail Markers - \$3,000
 - 13). Historic Rapid City – McGillicuddy House Restoration - \$7,500

- 14). South Dakota State Historical Society – First Lady Gowns Exhibit - \$15,000
- ii. Deny Following Outside of Deadwood Grants:
 - 1). Frawley Ranches, Inc.
 - 2). Saint Aloysius Cemetery Board (St. Francis of Assisi Catholic Church)
 - 3). High Plains Western Heritage Center
- iii. Approve the following Not-For-Profit Grant:
 - 1). Masonic Center Association – Repair of Cornerstone on Resource - \$2,290
- iv. *Boots on Bricks* and *Seth Bullock, Frontier Marshal* – Dakota Graphics
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - i. 458 Williams Street – Charles Turbiville
 - ii. 3 Rodenhaus – Robin Gorder
 - iii. 17 Fillmore – Kevin & Jan Bloom
 - iv. 675 Main Street – Sandra McCallum
 - c. Retaining Wall Program/Disbursements
 - i. 17 Selbie – Randy & Teri Adler
 - ii. 834 Main Street – Ferd Balkenhol
 - iii. 11 Lincoln – Francis Lauer/Ellen Sandidge
 - iv. 20 Denver – Mike & Sharon Ragatz
 - v. 15 Madison – Gary & Dee Herdt
 - vi. 8 Burnham – Steven & Janet Creger
8. Items from Citizens not on agenda (*Items will be considered but no action will be taken at this time.*)
9. Staff Report (*Items will be 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, July 24, 2013

Present Historic Preservation Commission: Chair, Willie Steinlicht, Vice-Chair, George Milos, Michael Johnson, Laura Floyd, Chuck Williams, Darin Derosier, and Lynn Namminga. Historic Preservation Officer, Kevin Kuchenbecker and City's Legal Counsel, Terri Williams, were also present.

Present City Commission: None.

All motions passed unanimously unless otherwise stated.

A quorum present, the Historic Preservation Commission Chair, Willie Steinlicht, called the Deadwood Historic Preservation Commission meeting to order on Wednesday, July 24, 2013 at 5:00 p.m. in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

Approval of July 10, 2013 HPC Minutes:

It was moved by Mr. Namminga and seconded by Mr. Johnson to approve the Minutes of Wednesday, July 10, 2013. Aye – All. Motion carried.

Approval of July 11, 2013 HPC Budget Minutes:

It was moved by Mr. Namminga and seconded by Ms. Floyd to approve the Budget Minutes of Thursday, July 11, 2013. 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 \$113,094.78. Aye – All. Motion carried.

Bonded Account

It was moved by Mr. Floyd and seconded by Mr. Namminga to approve the HP Bonded Account in the amount of \$24,870.00. Aye – All. Motion carried.

It was moved by Mr. Namminga and seconded by Mr. Derosier to vacate the earlier approval of the HP Operating Account. Aye – All. Motion carried.

It was moved by Ms. Floyd and seconded by Mr. Derosier to approve the HP Operating account in the amount of \$126,623.74. Aye – All. Motion carried.

Old or General Business:

Chinese Burner and Alter Project – Wong Family

Ms. Edith Wong along with her mother, Beatrice Wong, and Edith's son were present to thank the Commission and all participants who made the reconstruction of the Chinese Burner a reality. Ms. Wong said the burner brought back tangible evidence of Chinese history in Deadwood and she and her family are very grateful. (The Dedication handout and Press Release are attached hereto on Exhibit A and incorporated herein by this reference.)

Intern Partnership with the Deadwood Public Library – Kevin Kuchenbecker

Mr. Kuchenbecker said he is seeking permission to advertise and solicit applications for an internship, paid for by the Historic Preservation Office, to accession, catalog, digitize, and enter historic photographs into a PastPerfect database for the Deadwood Public Library. (The Memorandum dated July 18, 2013 is attached hereto on Exhibit B and incorporated herein by this reference.) Ms. Floyd questioned if this would be feasible within the budget. Mr. Kuchenbecker said all current interns would be leaving in August; therefore, it would be feasible. ***It was moved by Mr. Milos and seconded by Mr. Namminga to recommend to the Deadwood City Commission permission for the Historic Preservation Office to advertise and solicit applications for an internship, through the Historic Preservation Office, for the Deadwood Public Library. Aye – All. Motion carried.***

New Matters before the Deadwood Historic District Commission:

Case# 13038 – 124 Sherman Street – Conversion to Family Dollar – Excell Deadwood, LLC

Mr. Kuchenbecker said the applicant requests permission to convert the resource at 124 Sherman Street into a Family Dollar Store as submitted. (The Staff Report is attached hereto on Exhibit C and incorporated herein by this reference.) Mr. Milos asked if Excell Deadwood, LLC owned the resource. Ms. Terri Williams said they do not yet; therefore, it was her recommendation to approve the request contingent upon ownership. ***It was moved by Mr. Milos and seconded by Mr. Derosier, based upon the guidance found in DCO 17.68.050, that the exterior alteration proposed is congruous with the historical, architectural, archaeological, or cultural aspects of the district and moved to grant a Certification of Appropriateness to Case# 13038, 124 Sherman Street, Excell Deadwood, LLC as presented contingent upon Excell Deadwood, LLC obtaining ownership of the resource. Aye – All. Motion carried.***

Case# 13039 – 1906 Deadwood Mountain Drive – Awning – Tim Conrad

Mr. Kuchenbecker said the applicants request permission to add an awning from the car drop off to the front door as submitted. (The Staff Report is attached hereto on Exhibit D and incorporated herein by this reference.) ***It was moved by Mr. Derosier and seconded by Mr. Johnson, based upon the guidance found in DCO 17.68.050, that the exterior alteration proposed is congruous with the historical, architectural, archaeological, or cultural aspects of the district and moved to grant a Certification of Appropriateness to Case# 13039, 1906 Deadwood Mountain Drive, Tim Conrad and recommend approval of the awning to the Deadwood City Commission as presented. Aye – All. Motion carried.***

New Matters before the Deadwood Historic Preservation Commission:

Case# 13003 – 270 Main Street – Excavation/Parking – Mike Gustafson – Continued from Meeting on Wednesday, February 27, 2013

It was moved by Mr. Derosier and seconded by Ms. Floyd to continue the Project Approval Case# 13003 for First Gold, 270 Main, Mike Gustafson indefinitely. Aye – All. Motion carried.

Case# 13019 – 270 Main Street – Excavation/Parking – Mike Gustafson

Mr. Kuchenbecker reviewed the Staff Report requesting permission to excavate a portion of the hillside located to the north of the existing First Gold Hotel in order to create a 150 foot by 150 foot parking lot containing 45 additional spaces as submitted. Mr. Kuchenbecker noted Mr. Jerry Anderson, General Manager of First Gold, and Mr. Cam Lund, Architect, were present to answer any questions. (The Staff Report is attached hereto on Exhibit E and incorporated herein by this reference.) Mr. Anderson said they need the additional parking in order to draw a larger pool of people to Deadwood. He also said the proposed area is very narrow and needs to be cut back a little in order to make it more vehicle friendly. Mr. Derosier said the rendering submitted for the proposed project is misleading. He said due to the nature of the proposed cut, the entire landscape of the district will be changed. Mr. Anderson said they planned on putting vines to minimize the impact of the cut. Mr. Derosier said First Gold had yet to plant vines on the other side of the resource which they had said would be done when additional cutting of that hillside had been approved. Mr. Anderson said shrubbery had not been planted because the area was still settling. He noted this is also why asphalt had not yet been poured in the area. Ms. Floyd said the proposed project would significantly change the landscape. She said protecting historic resources is the Commission's job. She explained in this case the historic resource applies to more than just a building. She noted this is the first thing you see when you come into town. She said the hillsides define what Deadwood is as a gulch and as a historic location. She said she can see making concessions for extreme changes such as to preserve life or safety of residents but not for 45 additional parking spaces. She said this doesn't meet the Commission's obligation to protect historic resources. Mr. Derosier noted the applicants should explore alternatives to create additional parking. Mr. Kuchenbecker said in Staff's opinion the project is detrimental to the site and setting of the area. Mr. Namminga asked if the applicant planned to use shotcrete to stabilize the hillside after the proposed cut. Mr. Anderson said there is no reason to use shotcrete because there will be three steps in the grade. Mr. Lund said on the recommendation of their engineer they would do a 2-1 slope so every 10' would be a 6' shelf. He said this would allow them to plant vegetation which would help create stability and promote a more natural look to the cut. Mr. Namminga asked what would happen if rocks start falling. Mr. Anderson said with vegetation he did not believe there would be rock falls. Ms. Floyd noted the case number on the Staff Report should be 13019. Ms. Floyd said the proposed cut is very extreme and very noticeable. ***It was moved by Ms. Floyd and seconded by Mr. Namminga based upon all the evidence presented, that the project DOES encroach upon, damage, or destroy historic property included in the national register of historic places or the state register of historic places. Aye – All. Motion carried.***

It was moved by Ms. Floyd and seconded by Mr. Namminga based upon the guidance in the U.S. Department of the Interior standards for historic preservation projects in 36 C.F.R. 67, that the project is ADVERSE to Deadwood and moved to DENY the project as presented. Aye – All. Motion carried.

Mr. Derosier and Mr. Milos said the applicants should work with the Historic Preservation Office to try and find a solution that will work for all parties involved. Mr. Milos noted that if Deadwood loses its status as a National Historic Landmark it will not be possible to draw in more tourists so it is very important to work within the confines of what promotes historic preservation.

G.R.A.P.E. Committee Recommendations from July 9, 2013 Meeting:

i. Approve Following Outside of Deadwood Grants in the total of \$132,000:

It was moved by Mr. Milos and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Society of Black Hills Pioneers to contract with Rausch Granite for work in the West Lead Cemetery in the amount of \$5,100 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Milos and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Little Big Horn Associates, Inc. for creation and installation of a bronze plaque for the Custer Campsite in Nemo, SD in the amount of \$5,100 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Derosier and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Buffalo Gap Area Community Center for second floor rehabilitations in the amount of \$11,300 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Namminga and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the City of Mobridge for Phase III of the Oscar Howe Mural Restoration Project in the amount of \$20,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Ms. Floyd and seconded by Mr. Namminga to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the City of Lead for the South Lead Cemetery in the amount of \$5,100 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Derosier and seconded by Mr. Namminga to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Cramer-Kenyon Heritage Home for Cupola repairs in the amount of \$3,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Namminga and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Fall River County Historical Society/Pioneer Museum for Exterior Masonry in the amount of \$10,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Namminga and seconded by Mr. Derosier to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Lead Country Club for Clubhouse Restorations in the amount of \$7,500 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Milos and seconded by Ms. Floyd to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Booth Society, Inc. for Porch and Roof Repairs in the amount of \$12,500 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Ms. Floyd and seconded by Mr. Namminga to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Historic Homestake Opera House Society for the Men's Lounge, Bathroom, and Coat Room in the amount of \$15,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Milos and seconded by Mr. Derosier to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to Augustana College for Windows in the Administration Building in the amount

of \$15,500 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Namminga and seconded by Mr. Johnson to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the Butte County Historical Society for Ft. Pierre to Deadwood Trail Markers in the amount of \$3,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Derosier and seconded by Ms. Floyd to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to Historic Rapid City for restoration of the McGillicuddy House in the amount of \$7,500 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Milos and seconded by Mr. Steinlicht to recommend to the Deadwood City Commission approval of an Outside of Deadwood Grant to the South Dakota State Historical Society for the First Lady Gowns Exhibit in the amount of \$15,000 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

Deny Following Outside of Deadwood Grants:

It was moved by Mr. Milos and seconded by Mr. Derosier to deny the Outside of Deadwood Grant request for Frawley Ranches, Inc. as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Ms. Floyd and seconded by Mr. Derosier to deny the Outside of Deadwood Grant request for Saint Aloysius Cemetery Board as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

It was moved by Mr. Derosier and seconded by Mr. Johnson to deny the Outside of Deadwood Grant request for the High Plains Western Heritage Center. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

Approve the following Not-for-Profit Grant

Mr. Steinlicht recused himself, stepped down as Chair, and left the meeting.

Mr. Milos took over as Chair.

It was moved by Mr. Johnson and seconded by Mr. Derosier to recommend to the Deadwood City Commission approval of a Not-for-Profit Grant to the Masonic Center Association for Cornerstone repairs in the amount of \$2,290 as presented. Aye – All. Motion carried. (The Memorandum is attached hereto on Exhibit F and incorporated herein by this reference.)

Mr. Steinlicht returned to the meeting and his position as Chair.

Boots on Bricks and Seth Bullock, Frontier Marshal – Dakota Graphics

Mr. Kuchenbecker said Mr. Bruce Oberlander, Dakota Graphics, suggested that the Deadwood Historic Preservation Commission turn over their rights to print *Boots on Bricks and Seth Bullock, Frontier Marshal* to Deadwood

History, Inc. Mr. Derosier disclosed that he is on the board of Deadwood History, Inc. The Commission and Ms. Williams thanked him for his disclosure, but said they did not feel this was a conflict of interest. ***It was moved by Mr. Derosier and seconded by Mr. Milos to recommend to the Deadwood City Commission transfer of ownership rights to Deadwood History, Inc. for Boots on Bricks and Seth Bullock, Frontier Marshal. Aye – All. Motion carried.*** (The Letter from Dakota Graphics is attached hereto on Exhibit G and incorporated herein by this reference.)

Revolving Loan Fund/Retaining Wall Program Update

Financial and Delinquency Report

Ms. Joy McCracken, Executive Director of NeighborWorks, reviewed the Delinquency report.

458 Williams Street – Charles Turbiville

It was moved by Mr. Derosier and seconded by Ms. Floyd to forgive the loan to Charles Turbiville, 458 Williams Street, contingent upon completion of touchup paint within the next 60 days as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

3 Rodenhaus – Robin Gorder

It was moved by Ms. Floyd and seconded by Mr. Milos to forgive the loan to Robin Gorder, 3 Rodenhaus, as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

17 Fillmore – Kevin & Jan Bloom

It was moved by Mr. Milos and seconded by Mr. Derosier to approve the loan for Kevin and Jan Bloom, 17 Fillmore, as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

675 Main Street – Sandra McCallum

It was moved by Mr. Milos and seconded by Mr. Johnson to approve the refinance request for Sandra McCallum, 675 Main Street, as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

17 Selbie – Randy & Teri Adler

It was moved by Ms. Floyd and seconded by Mr. Milos to forgive the loan for Randy and Teri Adler, 17 Selbie, as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

834 Main Street – Ferd Balkenhol

It was moved by Mr. Milos and seconded by Mr. Derosier to forgive the loan for Ferd Balkenhol, 834 Main Street, contingent upon completion of work within the next 60 days as outlined in the NeighborWorks report dated July 18, 2013 as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

11 Lincoln – Francis Lauer/Ellen Sandidge

Ms. Floyd gave an update on 11 Lincoln, Francis Lauer and Ellen Sandidge.

20 Denver – Mike & Sharon Ragatz

It was moved by Mr. Derosier and seconded by Ms. Floyd to forgive the loan for Mike and Sharon Ragatz, 20 Denver, contingent upon completion of work within the next 60 days as outlined in the NeighborWorks report dated July 18, 2013 as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

15 Madison – Gary & Dee Herdt

It was moved by Mr. Milos and seconded by Mr. Derosier to extend the construction loan for six months for Gary and Dee Herdt, 15 Madison, as presented. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

8 Burnham – Steven & Janet Creger

It was moved by Mr. Milos and seconded by Ms. Floyd to approve the subordination request for Steven and Janet Creger, 8 Burnham, as presented. Aye – All. Motion carried.

It was moved by Mr. Milos and seconded by Mr. Derosier to modify the loan amount for Steven and Janet Creger as presented contingent upon the signing of a promissory note in the amount of \$7,956.62. Aye – All. Motion carried. (The NeighborWorks packet is attached hereto on Exhibit H and incorporated herein by this reference.)

Staff Report:

Mr. Kuchenbecker reported on the following items:

- Welcomed Chuck Williams to the Historic Preservation Commission.
- A Revitalization Committee has been established and there would be community meetings in September and October.
- Final payment for Phase III of the St. Ambrose Cemetery Restoration work was approved at the meeting.
- The Chinese Burner dedication had been successful and well received.
- He is working with the City of Lead to update signage.
- There would be no Committee Meetings in August.
- The Trailhead Project is moving along.
- He would not be present at the August 14, 2013 Meeting.

Other Business:

Mr. Steinlicht reported on the following:

- Noted a Certificate of Appreciation from the Northern Hills Alliance for Children.
- Read a thank you email to Mr. Kuchenbecker from Ms. Shelly Corbitt.
- Read a thank you letter from Seth Kuchenbecker regarding the scholarship he had been awarded from the Historic Preservation Commission.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting of July 24, 2013 adjourned at 6:30 p.m.

HPC Meeting
Wednesday, July 24, 2013

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
VPeterson, Recording Secretary