

**CITY OF DEADWOOD**  
**HISTORIC PRESERVATION COMMISSION**

Wednesday, February 22, 2006

**Present Historic Preservation Commission:** Darin Derosier, Dr. Michael Guilbert, Louie Lalonde, Mary Ann Oberlander, Steve Olson, Rose Speirs and Willie Steinlicht.

**Absent Historic Preservation Commission:** None

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Chairman Speirs called the meeting of the Deadwood Historic Preservation Commission to order on Wednesday, February 22, 2006 at 6:03 p.m. in the Deadwood City Hall Meeting Room located at 108 Sherman Street, Deadwood, SD 57732.

**Additions, Deletions or Corrections to the Agenda:**

It was moved by Ms. Lalonde, seconded by Mr. Derosier and carried unanimously to approve the following addition to the agenda:

Under New Matters before the Deadwood Historic District Commission:

- c. Hospitality Builders – Mineral Palace, 601 Main, Windows

**Review and Approve Minutes from Wednesday, February 8, 2006:**

It was moved by Mr. Steinlicht, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the minutes of the February 8, 2006 meeting, as presented.

**Voucher Approval for Operating Fund and Bonded Fund:**

**Operating Account:**

It was moved by Mr. Steinlicht, seconded by Mr. Derosier and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of \$47,646.54, a reduction of \$381.30, which represents a voucher from HCW, Inc. for services provided on the carriage collection.

**NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:**

**KDSJ – 745 Main Street – Sign Continued from February 8, 2006**

The commission referred to the following staff report:

**STAFF REPORT**

The Applicant is requesting permission to place the following sign.

**Address:** 745 Main Street

**Applicant:** KDSJ

**Size:** 18" x 24"

**Planning Unit:** Unit 4  
**Location:** The owner proposes to place the sign near the front of the building.  
The property is located in Unit 4.  
**Material:** Painted Metal  
**Is a variance required?** No

**Comments:** The sign ordinance allows an owner to substitute a free standing sign for a projecting sign if the building is located more than 15' from the street. The ordinance does specify that the sign may be no larger than ten (10) square feet.

KDSJ applied for the sign on June 22, 2005. At that time, Keith Umenthum, Deadwood Building Inspector requested a professional rendering of the proposed sign. The commission stated they would reconsider the request upon review of the professional rendering of the sign. The applicant selected the green color located on the left, or the lighter green shade.

The sign will be placed outside from mid-May to mid-September.

Building Inspector Keith Umenthum responded to a question from Mr. Olson concerning the need for a variance. This particular building is located thirteen and one half feet (13½') from the street. The sign ordinance allows a property owner to substitute a freestanding sign for a projecting sign if the building is located more than fifteen feet (15') from the street. However, because the proposed sign is small in size, will be in place temporarily, and the shortage of distance between the building and the street is not that significant, it was moved by Dr. Guilbert, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Sign Permit Application for 745 Main Street, KDSJ, and a variance to allow the free standing sign at this location as proposed by the applicant and property owner, KDSJ/Jeannie Decker, as presented.

### **Eric and Dina Flores – 594 Main Street – Banner**

The commission referred to the following staff report:

#### **STAFF REPORT** **SIGN COMMISSION**

The applicants are requesting placement of a banner measuring 19' x 6" x 2".

**Address:** 594 Main Street  
**Applicant:** Eric and Dina Flores  
**Size:** 19' x 6" x 2" Banner  
**Location:** On the tent  
**Material:** Canvas/plastic  
**Is a variance required?** Yes

#### **Comments:**

The applicant is proposing a Bar-B-Q tent at 594 Main Street and is requesting a banner for the tent. The applicants operate Main Street Deli and Coffees and the tent and sign would be located on their lot. A tent has been allowed on the property in the past; however, permission is required from the HP

Commission since a tent will attract attention and anything that attracts attention must be approved by the Commission.

The banner would be used through the summer months. The Sign Ordinance states the following: “Banners and signs used in connection with a special civic event are allowed without a permit, provided the civic event is sponsored by a not-for-profit organization or a governmental agency. Such banners and signs shall be placed no sooner than seventy-two (72) hours prior to the beginning of the event and removed within forty-eight (48) hours after the termination of the event. All banners displayed under this clause must explicitly promote the special civic event.”

The sign ordinance also states: “Appeals and variance.

- A. All decisions of the sign review commission may be appealed to the circuit court for Lawrence County.
- B. In the case of a request for a variance to the sign commission the procedures followed shall be those set forth in this chapter, except that the sign commission shall not grant a variance from any requirement or regulation of this chapter regarding signs unless it finds there are special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the particular business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area.
- C. Conditioning of Variance. The sign commission may make any variance subject to any conditions that it deems necessary or desirable to make the device that is permitted by the variance compatible with the other purposes of this chapter.
- D. Expiration of Unused Variance. All variances shall expire six months from the date of issuance if not used within that time period. (Prior code § 26-801).

Ms. Lalonde spoke against approving a variance for the banner. She reminded the commission of the ongoing efforts to educate the public about placement of banners in Deadwood. It was moved by Ms. Lalonde, seconded by Mr. Olson and carried unanimously to adopt a resolution to deny the Sign Permit Application for placement of a banner at 594 Main Street, as proposed by the applicants and property owners, Eric and Dina Flores.

## **NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:**

### **FYI – Demolition Moratorium**

Chairman Speirs read a memorandum from Planning & Zoning Administrator Bernadette Williams dated February 15<sup>th</sup> regarding the moratorium decision made by the City Commission. The memo states “on February 13, 2006, the Deadwood City Commission passed a moratorium on demolition permits. The moratorium would start February 14, 2006 and end in ninety (90) days. All applications submitted prior to February 14, 2006, would be grandfathered-in and honored.”

### **Amendment to Munson Glass Plate Photograph Contract**

Following his discussion with Doug Munson of Chicago Albumen Works (CAW), City Attorney John Frederickson stated the parties have agreed that any potential activity that might result in expenditure of funds exceeding the approved amount of \$78,000 must be approved by the commission prior to completion of the work.

A new development has come to his attention, however. Mr. Munson had planned to pick up the plates while attending an upcoming conference in Deadwood and take them to Massachusetts to complete the restoration work. Today, Mr. Frederickson was notified that the city's insurance company would not cover them if any damage occurs in the transfer. He asked the commission to continue this matter until the issue of insurance coverage is resolved. It was moved by Mr. Olson, seconded by Ms. Lalonde and carried unanimously to continue discussion on the Contract between the City of Deadwood, Deadwood Historic Preservation Commission and Chicago Albumen Works for preservation of the glass plate photographs to the meeting on March 8, 2006.

### **Lynn Namminga – 846 Main – Hunter House**

The commission packet contained a considerable amount of correspondence between Mr. Lynn Namminga and Mayor Toscana regarding the restoration of the Hunter House underway at 846 Main Street in addition to the following:

- The Application for Project Approval completed by Sally Reiman dated March 16, 2005;
- Page 2 of an evaluation base on the historic site survey conducted in 1990;
- The staff report dated March 16, 2005 distributed in the commission packet for the meeting on March 23, 2005;
- The portion of the minutes from the Historic Preservation Commission meeting conducted March 23, 2005 pertaining to this matter; and,
- Notice of commission action addressed to Sally Reiman/Malcom Mckillip dated March 25, 2005;

Building Inspector Keith Umenthum presented a brief chronology of the modifications to the home over the years by various owners. Records show the home has been vacant since 1995. He reported there have been a number of "demolition by neglect notices" served to various owners in recent years and what they are doing now is what the commission approved.

For the record, Chairman Speirs stated that Darin Derosier, Mary Ann Oberlander, Steve Olson and Willie Steinlicht were not on the commission when the restoration of the Hunter House was approved in March 2005. The Historic Preservation Officer at that time, Jim Wilson, had thirty years experience in historic preservation. Chairman Speirs believes "Mr. Wilson understood the Secretary of the Interior standards inside and out". She stated upon review in March 2005, we felt "it was a very good project".

Mr. Namminga strongly disagreed calling it a desecration of historic standards. The house could have "very easily been restored" to its historic character. He stated "it is a travesty that the destruction of this beautiful historic home, built by one of the most famous pioneers in this town, was allowed to happen". He stated a stop-work order should be issued immediately and the exterior of the home be properly restored, at the expense of the commission if necessary.

Chairman Speirs called upon Malcom Mckillop, the current owner of the Hunter House. He stated, "if there was a travesty, it occurred in the 30's or 40's when the home was converted to six or seven apartments". When they purchased the home, "it was a mess". They submitted a rezoning request to the city commission for the development of three condominiums. As requested at the time, they submitted drawings of the proposed project to the Historic Preservation Officer and have worked cooperatively with city staff throughout the restoration project.

Mr. Namminga stated the drastic alterations to the exterior of the home should never have been allowed. Over the years, the exterior of the house had never been significantly altered. "Enclosing the front porch and enclosing the balcony is very easy to remedy – you just tear them off".

Chairman Speirs stated the Secretary of Interior standards do not require the house to be restored to its original state. However, Mr. Namminga stated when he wanted to restore the porch on his present home to a "high Victorian style", he was told by Mr. Wilson he could not do that; that he could only restore it to the manner depicted in historic photographs. Chairman Speirs reported being told that, because Mr. Namminga has a tax moratorium on his home, there are stricter guidelines administered by the State.

City Attorney John Frederickson read from City Ordinance Section 17.68.50.C. referring to standards of exterior alterations. He feels the commission acted within the guidelines of the ordinance.

Mr. Derosier expressed appreciation to the present owner for the restoration underway and spoke in support of the previous action taken by the commission to approve the project. Ms. Lalonde defended the previous action by the commission for project approval based on consideration of program guidelines and staff recommendations.

Chairman Speirs closed discussion on this matter by applauding Mr. Namminga for the work on his home and for his passion for historic preservation.

**FYI – Frawley Ranch**

A letter from Frawley Ranches, Inc. in appreciation for historic preservation grant funding was distributed for information only.

**415 Williams – Rand Williams – Window Installation**

The commission referred to the following staff report:

**STAFF REPORT**

The applicant requests Project Approval to replace windows at 415 Williams, Deadwood, South Dakota.

**Applicant:** Rand Williams  
**Owner:** Rand Williams  
**Constructed:** 1891

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

*General Factors:*

**Historic significance of the resource and proposed alterations:** This is a contributing building in the Deadwood National Landmark Historic District in Unit 4B – Deadwood City.

**Architectural design of the resource and proposed alterations:** The owner has replaced a number of windows without approval or a permit. He has been replacing wood windows with aluminum storms and screens with vinyl windows.

**Attachments:** Enclosed

**Photos:** Enclosed

**Recommended Decision:** The proposed use of vinyl windows and vinyl windows that have already been installed without a permit or approval will have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Building Inspector Keith Umenthum reported on the recent installation of vinyl windows at the apartment complex located at 382 Williams, also owned by Mr. Williams. Mr. Williams failed to obtain the proper permit for the window replacement project. Upon receiving information about the work underway at the apartment house, Mr. Umenthum sent a letter to Mr. Williams dated January 27, 2006, asking that the work be stopped immediately. Unfortunately, most of the work had been completed.

In discussions with Mr. Williams since receipt of that letter, Mr. Williams feels he should be allowed to complete the installation of vinyl windows, and retain the vinyl windows that have already been installed without a permit or approval.

The property at 382 Williams is a contributing property, as is the property at 415 Williams. Mr. Umentum recalls the property owner installing vinyl windows in the back of the house located at 415 Williams several years ago. He feels Mr. Williams knows the appropriate action that should have been taken. It was moved by Mr. Derosier, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to deny the Application for Project Approval to replace the windows at 415 Williams, as proposed by Rand Williams, the applicant and property owner, as presented. The commission directed Mr. Umentum to invite the property owner to come before the commission at its next meeting to discuss the installation of vinyl windows at 382 Williams.

**102 Charles Street – Oberlander, Window Removal**

Ms. Oberlander recused herself from the commission during discussion of this item and responded to questions from the podium.

The commission referred to the following staff report:

**STAFF REPORT**

*Case No.* 06005

*Address:* 102 Charles Street

February 14, 2006

The applicants request Project Approval to remove a rear window at 102 Charles Street, Deadwood, SD.

*Applicant:* Bruce and Mary Ann Oberlander

*Owner:* Bruce and Mary Ann Oberlander

*Constructed:* 1900

*Unit 3 – Cleveland Addition*

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:**

***General Factors:***

**Historic significance of the resource:** This is a contributing building in the Deadwood National Landmark Historic District.

**Architectural design of the resource and proposed alterations:** In November, 2005, the Commission approved the removal of one rear window as part of a larger proposal. The amended request is to eliminate the left and right windows and to replace the door and adjacent window with a sliding glass door (wood trim painted green), which will exit to a deck (black line on the drawing) across the back of the house. Elimination of the windows is a privacy issue since those windows are in what will be two downstairs bedrooms. Each bedroom still would have a large window on the side of the house for egress. This is a secondary façade that has had some changes in the past.

**Attachments:** See Enclosures

**Photos:** See Enclosures

**Recommended Decision:** The back portion of the home had been added after 1923 but likely before the late 1940's. The intended changes will take place in the rear of the residence and will not be visible from Charles Street. The proposed changes will have no adverse effect on the historic character of the building or the historic character of the Deadwood National Landmark Historic District.

Having visited the property, Mr. Olson spoke against installation of a sliding glass door as proposed. He suggested something more "period appropriate" such as a French door. Chairman Speirs, Dr. Guilbert and Mr. Steinlicht have also conducted a site visit and concurred with Mr. Olson. It was moved by Mr. Steinlicht, seconded by Mr. Derosier and carried, with Ms. Oberlander abstaining, to adopt a resolution to approve the Application for Project Approval to remove a rear window at 102 Charles Street, as proposed by Bruce and Mary Ann Oberlander, the applicant and property owner, as presented. The commission requested Ms. Oberlander select a more appropriate door and present a detailed description of the type of door to be installed in place of the existing door and adjacent window.

### **39 Van Buren – Cannon - Rear Addition**

The commission referred to the following staff report:

#### **STAFF REPORT**

*Case No.* 06015

*Address:* 39 Van Buren

February 16, 2006

The applicant is requesting Project Approval to build a rear enclosed porch at 39 Van Buren, Deadwood, South Dakota

Applicant: Fischer Construction

Owner: Mary Cannon

Constructed: 1880

Unit 6– Ingleside Addition

#### **CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:**

##### ***General Factors:***

**Historic significance of the resource:** This is a contributing building in the Deadwood National Landmark Historic District.

**Architectural design of the resource and proposed alterations:** Historic research indicates that this house was built by the late 1880's. The shed-roof wing at rear is an early addition. The 1891 Sanborn Map shows the house with the same form as today. This house displays the architectural characteristics common to working-class housing in pre-World War I. These small, vernacular cottages, typically of foursquare or T-gable plan, are scattered throughout Deadwood's neighborhoods.

The owner proposes to construct a rear enclosed porch addition at the end of the existing rear roof line of the addition. The applicant had originally proposed a cedar shake siding; however, after a brief discussion, he was willing to place the enclosed Heritage – straight edge panel shingle, which is appropriately matched to the existing siding. The addition would not be visible from Van Buren Street; however, this house sets on a corner lot and the rear of the property can be seen from Jefferson Street. Mr. Fischer explained the head room in the addition would be a little under 8'.

**Attachments:** See Enclosures

**Photos:** See Enclosures

**Recommended Decision:** The proposed changes will have no adverse effect on the historic character of the building or the historic character of the Deadwood National Landmark Historic District.

Chairman Speirs appreciates the property owner's willingness to utilize the "Heritage straight edge panel shingle". However, because the property is visible from Jefferson Street and due to drainage concerns expressed by Mr. Olson, members of the commission requested more descriptive side and rear angle drawings of the proposed addition. It was moved by Mr. Steinlicht, seconded by Mr. Olson and carried unanimously to adopt a resolution to table the Application for Project Approval to construct a rear enclosed porch at 39 Van Buren, as proposed by Fischer Construction and Mary Cannon, the applicant and property owner respectively, pending receipt of dimensional drawings and project review by Dr. David Wolff.

**Scott Randolph – 20 Lincoln – Replace doors, repair roof**

The commission referred to the following staff report:

**STAFF REPORT**

*Case No.* 06017

*Address:* 20 Lincoln Avenue

February 15, 2006

Applicant: Scott and Donna Randolph  
Owner: Scott and Donna Randolph  
Constructed: 1885  
Planning Unit: Six (6)

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVAL**

**The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:**

***General Factors:***

**Historic significance of the resource:** This building is a contributing resource in the Deadwood National Historic Landmark District. It is an early Deadwood home which was remodeled during the pre-World War II years; consequently, it has historic associations with both Deadwood's 19<sup>th</sup> Century mining boom and the region's mining revival of the late 1920's and 1930's. This house displays architectural elements which were popular during the 1930's.

The Sanborn maps indicate that the original core of this house was built by 1885. The Sanborn maps and historic photos indicate that this house was originally a 1 ½ story dwelling with an intersecting gable roof and a bay at the front gable end. Approximately, in 1903, the house received two, one story additions at the rear; the gabled-roofed wing at the front (with a bay) presumably was added around this era as well. Other major additions/alterations to the house may have occurred in the 1930's or 1940's including: the one-story, vestibule at right; the rear; and the dormers. The large fixed windows (front wing, right vestibule, and left wall), the oriel window at left, and the casement windows at rear appear modern.

**Architectural design of the resource and proposed alterations:** This house displays architectural elements which were popular during the 1930's. In Deadwood – as elsewhere in the United States – residential remodels commonly borrowed from the then popular Craftsman Style.

The applicants propose to replace three (3) exterior doors with steel embossed panel doors (have been installed without a permit). They will be replacing the shake roof with asphalt shingles to match the rest of the roof and a small section of the rear roof will be replaced with a membrane and shingles. Requesting authorization to repair a small section of the rear roof and to place a vent out of the wall to

accommodate a pellet stove on the second floor. The vent would measure approximately 16 inches in circle and extend 12-18 inches out of the house. These measurements are in line with UL lab specs.

**Attachments:** See Enclosures

**Photos:** See Enclosures

**Recommended Decision:** Per, Steve Rogers, State Historic Officer, it is appropriate to replace the doors. The replacement of the shake roof is an improvement and in keeping with the existing materials and color of the existing roof. The vent, for the pellet stove, will extend to the side of the house. The collective changes will have no adverse effect on the historic character of the Deadwood National Landmark Historic District.

Chairman Speirs noted the doors have already been installed. The State Historic Officer reported "it is appropriate to replace the doors and replacement of the shake roof is an improvement and in keeping with the existing materials and color of the existing roof". Scott Randolph responded to questions regarding the vent for the pellet stove. Extending the vent to the uphill side of the house will be "less obtrusive". It was moved by Ms. Lalonde and seconded by Mr. Steinlicht to adopt a resolution to approve the proposed alterations to the house at 20 Lincoln, as proposed by Scott and Donna Randolph, the applicants and property owners respectively, as presented. Dr. Guilbert and Mr. Olson requested more details from Mr. Randolph regarding the location of the pellet stove vent and bay windows. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Chairman Speirs instructed the property owners to obtain the proper permits prior to proceeding with this type of work in the future. Mr. Randolph explained the misunderstanding and apologized for the oversight.

**Days' of '76 Museum Agreement**

City Attorney John Frederickson reported the agreement has been amended to clearly stipulate the \$3 million is to be used for construction only. It was moved by Mr. Steinlicht, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve the Agreement between the City of Deadwood, Deadwood Historic Preservation Commission and the Days' of '76 Museum for the allocation of \$3 million dollars of bonded funds for a museum, as presented.

**Jack & Judy DeLong – Request for a green house on top of garage**

The commission referred to the following staff report:

**STAFF REPORT**

*Case No.* 06019  
*Address:* 35 Centennial

February 16, 2006

The applicants are requesting Project Approval to place a portable greenhouse on top of an existing garage.

Applicant: Jack and Judy DeLong  
Owner: Jack and Judy DeLong  
Constructed: NA  
Unit Four (4) B – Deadwood City

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:**

**General Factors:**

**Historic significance of the resource:** This is a newer garage located in Unit 4B and in the Deadwood National Landmark Historic District.

**Architectural design of the resource and proposed alterations:** The green house is not a permanent structure, but will be attached in some manner due to winds. The DeLong's met with their neighbors and they did not have a problem with the greenhouse.

**Attachments:** See Enclosures

**Photos:** NA

**Recommended Decision:** The proposed non-permanent greenhouse will not have an adverse effect on the historic character of the building or the historic character of the Deadwood National Landmark Historic District.

Jack DeLong explained that their home is located at 39 Centennial and their garage exists on the adjacent property located at 35 Centennial. Mr. DeLong responded to questions from the commission stating they intend to have the greenhouse up year-round and the proposed greenhouse is constructed of 8 millimeter polycarbonate.

Planning & Zoning Administrator Bernie Williams stated the house at 39 Centennial is a contributing house. Chairman Speirs expressed concern with the appearance of the property upon installation of the greenhouse on top of the garage. Mr. DeLong stated it will be hidden from most views, except for Mt. Moriah. The neighbors have been contacted and no opposition has been expressed. It was moved by Mr. Derosier and seconded by Mr. Steinlicht to adopt a resolution to approve the Application for Project Approval to place a portable greenhouse on top of an existing garage at 35 Centennial Avenue, as proposed by Jack and Judy DeLong, the applicants and property owners, as presented. Chairman Speirs again expressed concern with visibility of the greenhouse from the street. Mr. DeLong agreed to "scoot it towards the back a little further".

Mr. Frederickson commented on additional considerations for projects involving a contributing house and a noncontributing structure. He reminded the commission to consider the relationship of the *"following factors which include architectural design of the resource, the proposed alterations, historic significance of the resource, general appearance of the resource, condition of the resource, materials proposed in the resource, size of the resource...all those factors and their affect upon the immediate surroundings and upon the district as a whole and its architectural and historical character and integrity."* In this situation, there is a contributing house and a noncontributing garage. Chairman Speirs' comments regarding the appearance of the proposed greenhouse and the effect on the neighborhood are worthy of serious consideration. Dr. Guilbert requested receipt of detailed drawings of the location of the garage in relationship to their place of residence. Chairman Speirs concurred. Mr. DeLong estimated the garage is located a distance of thirty feet (30') from the side of the home and estimated the garage sits back approximately twenty feet (20') from the front of the home. Hearing no further discussion, upon roll call vote being taken thereon, the motion failed 3-4 with the following commission members voting AYE: Derosier, Lalonde and Steinlicht. The following commission members voted NO: Guilbert, Oberlander, Olson and Speirs. The property owner will present additional information at the next meeting.

**Rich Turbiville – Loan Request to Remove Inappropriate Siding – 67 Taylor Avenue**

Joy McCracken, Executive Director of Neighborhood Housing Services, presented a request for loan funding to be used for the removal of the existing metal siding at 67 Taylor Avenue to be replaced with four-inch (4") lap siding. It was moved by Ms. Lalonde, seconded by Ms. Oberlander and carried

unanimously to adopt a resolution to approve the Revolving Loan Fund – Special Needs/Siding Removal Application for 67 Taylor, as proposed by Rich Turbiville, the applicant and property owner, as presented.

### **Edna Robinson – Historic Retaining Wall Request – 38 Denver**

It was moved by Dr. Guilbert, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Retaining Wall Grant Program Application for 38 Denver Avenue, as proposed by Edna Robinson, the applicant and property owner, as presented.

### **Ron Wheeler – Historic Retaining Wall Request – 8 Shine**

It was moved by Ms. Lalonde, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Retaining Wall Grant Program Application for 8 Shine, as proposed by Rim Conrad (general contractor) and Ron Wheeler, the applicant and property owner respectively, as presented.

### **Deadwood Fire Department – Request for Funding**

Jeff Millard presented a request for funds to help offset costs associated with an upcoming fire school. There was discussion regarding the appropriate line item for this unbudgeted request. It was moved by Ms. Lalonde, seconded by Dr. Guilbert and carried unanimously to adopt a resolution to approve funding not to exceed \$2,000 from the Public Education Line Item to cover the costs of the Live Burn Trailer needed for the fire school to be conducted in March 2006.

### **Approval to Award Bid for Historic Project Signs**

Chairman Speirs called upon Nyla Griffith and Joy McCracken for comments regarding the appropriateness of the bid amount and knowledge of and/or experience with the sole bidder. It was moved by Mr. Derosier, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to award the bid for Historic Project Signs to Summit Signs & Supply, Inc., the sole bidder, at a total cost of \$2,820, as presented.

### **Registration for the South Dakota State Historical Society 2006 Annual Meeting**

Registration forms for the South Dakota State Historical Society 2006 Annual Meeting scheduled for March 30 through April 1, 2006 in Pierre, SD, were distributed in the commission packet.

### **Approval to Hire Dr. David Wolff – Assist Historic Preservation Office**

It was moved by Ms. LaLonde and seconded by Dr. Guilbert to adopt a resolution to approve the Contract between the City of Deadwood, Deadwood Historic Preservation Commission and Dr. David Wolff for consulting services to assist the historic preservation office, at a rate of \$50 per hour. Mr. Olson inquired if the commission should put a cap on this expense. Following a brief discussion on the matter, upon vote taken thereon, the motion carried unanimously.

### **Approval to Hire Mark Wolfe – Assist in Rewrite of Historic Ordinances**

City Attorney John Frederickson explained that Mark Wolfe was involved in the initial draft of the existing historic ordinances adopted by the city of Deadwood.

Mr. Olson requested an explanation of the proposed use of historic preservation funds to pay this expense as opposed to city funds. Mr. Frederickson stated the ordinances to be examined by Mr. Wolfe are primarily historic preservation ordinances. Mayor Toscana responded that historic preservation funds

were used to develop the ordinances initially and it seems appropriate to use historic preservation funds to pay for the contract with Mr. Wolfe to review and revise these ordinances.

Mr. Steinlicht called the question.

It was moved by Mr. Steinlicht and seconded by Ms. Lalonde to adopt a resolution to approve the contract between the City of Deadwood, Deadwood Historic Preservation Commission and Mark Wolfe, to review the city's historic preservation ordinances at a cost not to exceed \$5,000, as presented. Mr. Frederickson clarified the fact that reimbursement for actual costs of airfare, car rental and lodging and other related expenses may be required. He instructed the commission to approve the contract as drafted. Mr. Steinlicht amended the motion, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the contract between the City of Deadwood, Deadwood Historic Preservation Commission and Mark Wolfe, to review the city's historic preservation ordinances, as drafted.

**Approval to Hire National Alliance of Preservation Commissions (NAPC) –  
Workshop for City Commission, Historic Preservation and Planning and Zoning Commission**

Ms. Lalonde inquired if Mark Wolfe could provide this training.

City Commissioner Ronda Feterl commented on her recent conversation with Drane Wilkinson, Program Coordinator for the NAPC. She explained there are a number of ways to schedule these workshops and follow-up training sessions, depending on the number of participants.

Ms. Lalonde suggested the training be postponed as her term and that of Dr. Guilbert will end in May. Chairman Speirs agreed, however, she feels a sense of urgency in providing training and having Ms. Lalonde and Dr. Guilbert be part of the process would be beneficial.

Ms. Oberlander stated providing some training to new commissioners is essential but also suggested the new historic preservation officer has a right to input in this process.

Mr. Olson called the question.

It was moved by Mr. Olson and seconded by Ms. Lalonde to adopt a resolution to table the matter of hiring the National Alliance of Preservation Commission to the meeting on April 12, 2006. Mr. Steinlicht inquired if deferring the matter to mid-April would allow sufficient time to schedule the NAPC training session in the near future. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

**Mike Runge – FYI, Traveling Exhibit – Hard Rock Mining**

Information provided by Archivist, Mike Runge detailed a request from Kate Higdon, the curator of exhibits at the Museum of the South Dakota Historical Society regarding the traveling exhibit entitled *“Life Underground: Hard Rock Mining in the Black Hills”*. The State would like to display this new exhibit in Deadwood free of charge for two months. Arrangements have been made and the first floor of the Lawrence County Annex Building has been secured for the exhibit. The tentative date for the reception unveiling the exhibit is March 23, 2006.

**MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:**

**Tim Conrad – 32 Charles Street – Certificate of Appropriateness for new construction**

The commission referred to the following staff report:

**STAFF REPORT**

*Case No.* 06018

*Address:* 32 Charles Street  
Unit 4 – Cleveland

February 15, 2006

The applicant is requesting a Certificate of Appropriateness to construct a new building to house offices and businesses. The structure will measure 160'x41' and house six rental spaces.

Applicant: Tim Conrad  
Owner: Tim Conrad  
Constructed: 1903 – On Sanborn Map  
Unit 3 – Cleveland Addition

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic Preservation Commission shall use the following criteria in granting or denying Project Approval:**

***General Factors:***

**Historic significance of the resource:** This is a non-contributing building in the Deadwood National Landmark Historic District. It is located within Unit 4, which has design guidelines.

**Architectural design of the resource and proposed alterations:** Mr. Conrad is proposing to construct a structure for offices and businesses. His existing plan portrays facades similar to the Old Deadwood Facades.

The Design Guidelines for Unit 4 address the Railroad area. The document indicates the buildings were simple rectangular solid wood frame buildings with narrow wood lap siding. The roofs were pitched and had wood shingles.

Mr. Conrad will possibly need an archeologist onsite when moving land. Also, he is located in a flood hazard area and will need to hire an engineer to determine if the building would raise the flood level more than 1'. He will be presenting a parking plan to the Zoning Office.

**Attachments:** See Enclosures

**Photos:** See Enclosures

**Recommended Decision:** Any new construction needs to respect the scale and form of neighboring structures. New construction should authentically represent the area and not imitate another time or place. The proposed design would have an adverse effect on the historic character of the Deadwood National Landmark Historic District.

Tim Conrad referred the commission to a revised drawing showing the proposed front elevation design of the new building he proposes to construct at 32 Charles Street. He displayed samples of siding materials and requested direction from the commission. Mr. Olson suggested that, since this is new construction, perhaps the property owner should meet with Dr. David Wolff regarding appropriate siding materials to use when trying to replicate historic buildings. Ms. Lalonde recommended the material be consistent with what the commission has required of others, such as Hardy Plank.

Mr. Conrad reported recently discovering that water and sewer lines were “never stubbed out to the street”. He asked for staff assistance from time to time during the dig, in lieu of hiring an archeologist on site during the excavation. Mayor Toscana feels it is important to have an archeologist on site, as the city as required of other people. He stated the city might be willing to share the cost associated with this expense.

Brief discussion occurred regarding funding available in the archeology line item.

It was moved by Mr. Olson, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness to construct a new building to house offices and businesses at 32 Charles Street, as shown in the drawing reviewed by the commission, as proposed by Tim Conrad, the applicant and property owner, as presented.

Mr. Conrad referred the commission to the aerial photographs of the site.

It was moved by Dr. Guilbert, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve historic preservation funding on a cost share basis, for completion of a preliminary archeological evaluation of the site, contingent upon further consideration if a significant finding is unearthed.

### **Lead Deadwood Elementary School - Certificate of Appropriateness for Playground Cover**

The commission referred to the following staff report:

#### **STAFF REPORT**

*Case No.* 060110

*Address:* 716 Main Street

February 19, 2006

The applicant requests Project Approval to install a wood and metal roof with lighting onto existing concrete columns.

**Applicant:** Lead/Deadwood Elementary School  
**Owner:** Lead/Deadwood Elementary School  
**Constructed:** 1925

#### **CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

##### ***General Factors:***

**Historic significance of the resource and proposed alterations:** The building is a contributing structure in the Deadwood National Landmark Historic District - Unit 4 – Deadwood City.

**Architectural design of the resource and proposed alterations:** The school is requesting to place a roof over the playground. The school is a building that has made a significant contribution to the City of Deadwood. It has distinctive characteristics of a type, period and method of construction. The guidance that is basic to the treatment of all historic buildings is to retain and preserve the form and detailing of the architectural materials and features that are important in defining the historic character. The proposed roof over the playground would conceal the original section of the school to a great degree. Historic buildings undergoing changes (modernizing) can erode the historic character of the building. Also, the form of the proposed roof does not incorporate the general features of surrounding sites and buildings.

**Attachments:** Enclosed

**Photos:** Enclosed

**Recommended Decision:** The proposed roof will have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Dr. Dan Leikvold, Superintendent of Lead-Deadwood School District, expressed his appreciation for grant funds allocated for the auditorium and elevator.

He introduced Wayne Karpinen, Maintenance Director and Tim Kusters, Elementary School Principal who were also present to address any concerns the commission might have regarding the playground cover. Chairman Speirs commented briefly on commission's previous considerations of the playground improvement project. At the time the project was initially presented, Mr. Chapel explained it would be easier to install the pillars in conjunction with footings rather than to add them later. Ms. Oberlander recalled being assured the pillars would come down if the roof is never completed. Although the commission was aware of discussions regarding a playground cover, there was some dispute whether funding that potential phase of the project would be an appropriate use of historic preservation funds.

It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to deny the Application for a Certificate of Appropriateness to install a wood and metal roof with lighting onto the existing concrete columns on the playground at the Lead-Deadwood Elementary School, 716 Main, as proposed by the Lead-Deadwood School District 40-1, the applicant and property owner, stipulating that the concrete columns be removed prior to the start of the 2006-2007 school year.

### **Hospitality Builders – Mineral Palace, 601 Main, Windows**

Michael Stecher, representing Hospitality Builders, was present primarily to correct the wording recorded in the minutes from the commission meeting on February 8, 2006 from "aluminum clad" to installation of "extruded aluminum windows with trim or maintenance free trim" on the existing hotel built in 1993.

He explained the installation process in extensive detail and many options of product available. He stated with the installation of the brick mold, an aluminum snap cover goes in place directly over the top of it, covering the nail thin. The aluminum brick molds have the same structural features but are not a painted surface. Mr. Olson stated the color is impregnated within the metal.

The commission referred to pictures of the existing windows taken today by Building Inspector Keith Umenthum. The windows in there right now are wood.

Responding to Chairman Speirs' inquiry regarding the Celebrity Hotel, Mr. Umenthum stated those are all wood windows. He reported that many of the other hotels have put in "basically an aluminum window". There is a slight difference in what Mr. Stecher is proposing. With this particular window and the extrusion he is putting on there, the frame will appear slightly wider in comparison to other buildings. Chairman Speirs stated she prefers the narrower version; Ms. Lalonde stressed the importance of visual continuity, blending the newer buildings with the old.

Mr. Stecher reported, having received project approval at the last meeting, the windows have been ordered with an anticipated delivery time of three weeks. The crew measured out each piece of molding, each piece of framework; each piece is individually sized. The issue at hand is the removal of the higher maintenance wooden window and replacing it with the extruded aluminum windows. When completed, you will see "the same building, same window, same look; just different material...a different manufacturing process". Mr. Umenthum disagreed as slightly more of the window frame will be visible compared to what is there now.

Rich Turbiville expressed a sense of urgency because the windows are being manufactured as we speak. Dr. Guilbert stated the difference in the width is insignificant, probably unnoticeable and “we’re not talking about an historic house”. It was moved Dr. Guilbert, seconded by Mr. Derosier, and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness for the replacement of nine (9) historic wooden windows and the remainder of the windows in a extruded aluminum window with aluminum trim at 601 Main, as proposed by Hospitality Builders and Frank Gould, the applicant and property owner respectively, as presented.

**REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:**

Joy McCracken, Executive Director for Neighborhood Housing Services, provided the following reports to the commission.

**Retaining Wall Fund Voucher**

None.

**Revolving Loan Fund Disbursements**

It was moved by Ms. Lalonde, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the HP Revolving Loan Fund Cash Disbursements Journal \$10,122.66 to the following: Lawrence County Register of Deeds, \$22; Lehmen Construction Company, \$6,621.23; Hole in the Wall Renovation, \$2,500.00 and Koala Electric, Inc., \$969.43, as presented.

**NHS Financial Report**

The loan delinquency report consisted of The Gillmore and two loans issued to Valerie Wayne. NHS staff is in the process of resolving the matter with Ms. Wayne.

**David Herdt - 97 Forest – Loan Request**

It was moved by Ms. Lalonde, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the loan refinance for David Herdt, 97 Forest, in the principal amount of \$7,225 at an interest rate of four percent (4%), as presented.

**COMMITTEE REPORTS:**

**Loan:**

Ms. McCracken stated the next loan committee meeting is scheduled for next Thursday morning at 8 a.m.

**Advocacy/HistoryLink/Public Education:**

Ms. Feterl reported submitting a number of topics for the next *HistoryLink* newsletter to TDG last week, including those suggested by Chairman Speirs. Chairman Speirs requested she and Ms. Lalonde have an opportunity to review the proof.

**Hall of Fame and Recognition:**

Nothing to report at this time.

**Cemetery:**

Nothing to report at this time.

**Museum/Homestake Archives:**

Chairman Speirs reported there was an Adams Museum board meeting on Tuesday and things are going well.

An archivist has been hired for the Homestake Archives.

**Representative to Adams Museum Board:**

See above.

**Representative to Chamber of Commerce:**

Ms. Lalonde reported the upcoming Mardi Gras celebration was discussed at the recent chamber of commerce meeting.

**Representative to NHS:**

Dr. Guilbert was unable to attend the last meeting.

**Representative to Planning & Zoning:**

Planning & Zoning Administrator Bernie Williams reported on items before the Planning & Zoning Commission recently including approving a plat and a variance. Also, staff will be meeting to review existing parking regulations.

**ITEMS FROM CITIZENS NOT ON THE AGENDA:**

None.

**OTHER BUSINESS:**

None.

**ADJOURNMENT:**

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Speirs adjourned the meeting at 8:10 p.m.

**ATTEST:**

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Ms. Rose Speirs  
Chairman  
Historic Preservation Commission  
Mary Burket, Recording Secretary