

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

Wednesday, June 22, 2005

Chairman Love called the meeting of the Deadwood Historic Preservation Commission to order on Wednesday, June 22, 2005 at 5:15 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

**PRESENT HISTORIC PRESERVATION COMMISSION:** Darin Derosier, Dr. Michael Guilbert, Louie Lalonde, Troy Love, Mary Ann Oberlander, Ann Ochse, Rose Speirs, Jim Wilson – Historic Preservation Officer.

**ABSENT HISTORIC PRESERVATION COMMISSION:** None

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**ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA:**

Chairman Love announced a presentation will be heard regarding the Slime Plant facade.

Chairman Love announced the following additions to the agenda under New Matters before the Deadwood Sign Commission:

- f. Chubby Chipmunk, 420 Cliff
- g. Dave Larson, 51-55 Sherman

There being no further additions, deletions or corrections to the agenda, Ms. Speirs moved, seconded by Ms. Ochse and carried unanimously to approve the agenda with the aforementioned changes.

**REVIEW MINUTES:**

Motion by Ms. Ochse, seconded by Ms. Speirs and carried unanimously to adopt a resolution approving the minutes of the June 8, 2005 meeting, as presented.

**ELECT OFFICERS:**

Motion by Dr. Guilbert, seconded by Ms. Oberlander and carried with Ms. Speirs abstaining to adopt a resolution to appoint Rose Speirs as Chairperson of the commission.

Motion by Ms. Speirs, seconded by Dr. Guilbert and carried with Ms. Ochse abstaining to adopt a resolution to appoint Ann Ochse as Vice Chairperson of the commission.

[Ms. Lalonde entered the meeting at this time, 5:19 p.m.]

Discussion commenced regarding the HPC committee appointments. Mr. Wilson explained it is the responsibility of the chairman to make those appointments. With newly elected officers and two new commissioners, those appointments will be announced at the next meeting.

Ms. Speirs moved, seconded by Ms. Ochse to allow Mr. Love to conduct this meeting with Ms. Speirs assuming the duty of chairman at the next meeting. At the direction of Mr. Frederickson, however, Mr. Love relinquished the duty to Chairperson Speirs at this time.

**VOUCHER APPROVAL:**

**Operating Account:**

Motion by Mr. Love, seconded by Dr. Guilbert and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of \$54,540.83 as presented.

**Bonded Account:**

Motion by Ms. Ochse, seconded by Mr. Love and carried unanimously to adopt a resolution approving the HP Bonded Account in the amount of \$69,831.89 presented.

**PRESENTATIONS:**

Wayne Lund, principal of Lund and Associates and representing Deadwood City Limits, presented an update on the façade easement at the Slime Plant. Following a brief report regarding budget estimates to complete the restoration, discussion focused on the assay office in the front of the building and structural concerns with that part of the building. Mr. Lund will present a formal proposal for the façade easement work at the next meeting. He responded to several questions from the commission regarding various aspects of the project.

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

**629 Main, Celebrity, New Signage**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests permission to install new signage at 629 Main.

Address: 629 Main  
Applicant: Celebrity Hotel

*Size:* 2' x 24'. The size does conform to the ordinance. It will project 6" or less from the building.

*Location:* The sign will be installed on the corner above the main entrance to the addition.

*Material:* Painted wood

*Is a variance required?* No

*Comments:* This sign is similar to one that was placed on Tin Lizzie prior to construction of the Hampton Inn.

Motion by Mr. Love, seconded by Dr. Guilbert and carried unanimously to adopt a resolution to approve the installation of new signage at 629 Main, Celebrity, as presented.

**304 Cliff, Deadwood Gulch, Banner Request**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests permission to place banners at 304 Cliff/10 Timm Lane.

Address: 304 Cliff/10 Timm Lane  
Applicant: Deadwood Gulch Resort

*Size:* 4 Banners. Each 10' x 3'. The size does conform to the ordinance.

*Location:* The owner proposes to place them on the property between the buildings and the street.

*Material:* Water resistant banner material

*Is a variance required?* Yes

*Comments:* The banner ordinance was written based on the placement of banners on the building itself. This is a downtown oriented ordinance. These buildings are located outside of the Deadwood National Landmark Historic District. Under the ordinance as written the owner would be entitled to place banners on the front and sides of the Convention Center, the Restaurant and the Motel. The owner

would like to place banners on the ground between the buildings and the street. I would suggest that because the property is located outside of the Landmark Historic District on a highway with little or no pedestrian traffic the owner be allowed place three banners on poles on grade if no other banners are used on the property and if the requested banners are not located on city or state right-of-way.

At the request of Dr. Guilbert, Deadwood Gulch representative, Michelle Patino, provided more a detailed explanation of the proposed banners. They are requesting permission to display four (4) 10'x3' banners during the Sturgis Rally and Kool Deadwood Nights. The banners will be erected no more than 72 hours prior to each event and removed immediately upon the conclusion of each event. Motion by Mr. Love, seconded by Dr. Guilbert to adopt a resolution to approve the placement of four (4) banners during two events, specifically the Sturgis Rally and Kool Deadwood Nights, at 304 Cliff, Deadwood Gulch, as proposed by the applicant and property owner, Deadwood Gulch. Mr. Love stated the primary consideration to approve the request is the location of the business. Mr. Wilson inquired if they intend to place additional banners on the building during those events. At the suggestion of Ms. Oberlander, Mr. Love amended the motion with the concurrence of Dr. Guilbert to stipulate the banners be placed no more than 72 hours prior to each event and removed immediately upon the conclusion of the events. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

#### **470 Main, McKenna's Gold, New Sign**

Mr. Wilson referred the commission to the following staff report:

##### **STAFF REPORT**

The applicant requests permission to place signs at 470 Main.

Address: 470 Main

Applicant: Haverberg Family Limited Partnership.

*Size:* Window lettering: 4" x 36". Sign 2' x 20'

*Location:* As shown in accompanying photos

*Material:* Painted wood. Applied letters in window.

*Is a variance required?* No

*Comments:*

Motion by Mr. Love, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the placement of the window and wall signs at 470 Main, McKenna's Gold, as proposed by the applicant and property owner, Haverberg Family Limited Partnership, as presented.

#### **5-9 Lee, Wooden Nickel, Free Standing Signs**

Mr. Wilson referred the commission to the following staff report:

##### **STAFF REPORT**

The applicant requests permission to place a sign at 5-9 Lee.

Address: 5-9 Lee

Applicant: Deadwood Development Co.

*Size:* 3' x 4' and 70" x 90"

*Location:* The owner proposes to place them on the property between the buildings and the street.

*Material:* Painted wood and metal

*Is a variance required?* Yes

*Comments:* The ordinance allows an owner to substitute a freestanding sign for a projecting sign if the building is more than 15' from the street. The ordinance does specify that the sign may be no larger than 10 square feet. The proposed signs would need a variance for size. The larger sign would be placed on the sign framework that was previously used for the Trial Sign.

Blake Haverberg informed the commission that the larger sign would be placed on the sign framework previously used for the Jack McCall Trial Sign. The proposed new sign designating the parking area exceeds the maximum allowed by ordinance and would require a variance for size. At Chairperson Speirs' request, Mr. Haverberg agreed to scale down that sign to comply with the ordinance. Motion by Ms. Lalonde, seconded by Ms. Ochse to adopt a resolution to approve the placement of two (2) signs at 5-9 Lee Street, Wooden Nickel, stipulating that the new parking area sign be no larger than ten (10) square feet. Discussion commenced regarding the proposed use of a steel disk for the sign on the corner. Keith Umenthum stated the sign ordinance specifies "no phosphorus or reflective paint will be used". Mr. Haverberg agreed to powder coat the steel, black, in color. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Mr. Derosier requested a copy of the sign ordinance.

### **745 Main, KDSJ, Free Standing Sign**

Mr. Wilson referred the commission to the following staff report:

#### **STAFF REPORT**

The applicant requests permission to place a sign at 745 Main.

Address: 745 Main

Applicant: KDSJ

*Size:* 3' x 3'

*Location:* The owner proposes to place it adjacent to the front of the building.

*Material:* Painted metal

*Is a variance required?* No

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

Motion by Ms. Lalonde, seconded by Dr. Guilbert to adopt a resolution to approve the placement of a freestanding sign at 745 Main, proposed by the applicant KDSJ, as presented. A representative from KDSJ described the sign as being similar to a real estate sign. Keith Umenthum requested a professional rendering of the proposed sign. Hearing no further discussion, upon vote taken thereon, the motion failed unanimously. Chairperson Speirs stated the commission will reconsider the request upon review of professional rendering of the sign.

### **420 Cliff, Chubby Chipmunk**

The commission heard a request to place additional signs at Chubby Chipmunk located at 420 Cliff. Keith Umenthum stated the sign ordinance restricts property owners to one wall sign and one projecting sign. Motion by Mr. Love, seconded by Ms. Lalonde to adopt a resolution to approve a variance for the placement of two additional signs at Chubby Chipmunk, 420 Cliff, as presented. Mr. Love stated that a variance is appropriate considering the business is located outside the historic district. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

### **51-55 Sherman, Dave Larson**

Motion by Mr. Love, seconded by Ms. Lalonde and carried unanimously to approve relocation of the existing projecting sign at 55 Sherman to the entrance at 51 Sherman, proposed by the applicant and property owner, Dave Larson, as presented.

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

**18 Washington Street, Christiansen**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests Project Approval to alter windows and on the residence at 18 Washington, Deadwood.

Applicant: Leslie Christiansen  
Owner: Leslie Christiansen  
Constructed: 1900

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

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

***General Factors:***

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

***2. Architectural design of the resource and proposed alterations:*** The owner proposes to replace one window on the east side at the rear of the building with a window matching the front windows in size. The owner also proposes to replace the double window at the rear of the house with a French door. The rear third of the house is a later addition and the existing windows do not match the originals. The enlarged window and French door framing should be appropriate and the new window should be wood.

***Attachments:***

***Photos***

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

Motion by Mr. Love, seconded by Ms. Lalonde and carried unanimously to adopt a resolution for project approval for the residential window alteration at 18 Washington Street, proposed by the applicant and property owner, Leslie Christiansen, as presented.

**Budget Supplement**

Mr. Wilson referred the commission to the following table identifying unspent funds in the 2004 historic preservation budget:

<b>Line Item Name</b>	<b>Line Item #</b>	<b>Unspent 2004</b>
Advocate	215-4572-235	\$12,583.82
Public Education	215-4573-315	\$66,785.26
Retaining Wall Grants	215-4575-515	\$592,078.88
Outside Deadwood Grants	215-4575-520	\$164,551.40
Non-Profit Grants	215-4575-510	\$70,459.00
Legal	215-4576-620	\$30,000.00
Capital Asset Line Items		
City Hall	215-4577-700	\$16,000.00
City Steps	215-4577-790	\$42,726.36
Rec Center	215-4577-710	\$2,000.00
<b>TOTAL Unspent Budget to Reallocate in 2005</b>		<b>\$997,184.72</b>

Motion by Mr. Love, seconded by Ms. Lalonde to adopt a resolution to approve the reallocation of unspent funds from the 2004 budget to the 2005 budget, as proposed. Following brief clarification, upon vote taken thereon, the motion carried unanimously.

**Budget Hearings**

Following discussion regarding individual schedules, Ms. Lalonde moved, seconded by Ms. Ochse and carried with Mr. Love abstaining, to adopt a resolution to set the hearings for the 2006 Historic Preservation budget for July 6, 7, 12, 13 and 14 beginning at 7 a.m. Mr. Wilson will contact interested parties regarding the schedule.

**Larson Glass Plate Photographs**

Mr. Wilson distributed additional copies of the glass plate photographs that Dave Larson has offered to donate to the City. Motion by Mr. Love, seconded by Ms. Ochse to adopt a resolution to allocate funds not to exceed \$2,500 for the restoration of the glass plate photographs. Mr. Wilson referred the commission to the draft service agreement distributed in the commission packet. Mr. Frederickson noted a copyright on one of the photographs. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

**Society of Black Hills Pioneers**

Motion by Ms. Lalonde, seconded by Ms. Oberlander with Ms. Ochse abstaining to adopt a resolution to appropriate \$2,000 from the 2005 public education line item to the Society of Black Hills Pioneers to assist with the publication of family histories.

**Mt. Moriah Change Order #1**

Chairperson Speirs directed Mr. Wilson to remind Public Works Director Jim Raysor to seek commission approval prior to the work being completed. Motion by Dr. Guilbert, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Mt. Moriah contract change order #1, a net increase of \$7,432, as presented.

**St. Ambrose Restoration Plan**

Mr. Wilson requested permission to request proposals for the cemetery restoration project. Motion by Mr. Love, seconded by Ms. Ochse and carried unanimously to adopt a resolution authorizing staff to obtain proposals to carry out the condition assessment, mapping and necessary photography to complete the St. Ambrose Cemetery restoration project.

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

**716 Main, Deadwood Elementary School, Playground Renovation**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests a Certificate of Appropriateness to modify the playground area at 716 Main.

Applicant: Wayne Karpinen  
Owner: Lead-Deadwood School District  
Constructed: 1925

**CRITERIA FOR THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS**

**The Historic District Commission shall use the following criteria in granting or denying a Certificate of Appropriateness:**

***General Factors:***

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

***2. Architectural design of the resource and proposed alterations:*** The owner is proposing to make material and layout changes to the playground and parking area behind the building and below Williams

Street. The proposed changes are all grade level changes and involve no structures or buildings. The Commission reviewed these plans when they awarded a grant to the School District.

**3. General appearance of the resource:** This will not change the appearance of the building.

**Attachments:**

**Photo**

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

Lynn Gerving, project manager for the school, presented a request to place concrete columns in the playground now rather than in phase II of the project as initially planned. The columns will support a roof over a portion of the playground to minimize the icy conditions that materialize over the winter months. Motion by Mr. Love, seconded by Dr. Guilbert to adopt a resolution to approve a Certificate of Appropriateness for playground modifications as proposed by the applicant and property owner, the Lead-Deadwood School District and detailed in the staff report prepared by Mr. Wilson. Mr. Wilson stated the proposed modifications presented with this application for the Certificate of Appropriateness are all grade level changes involving no structures or buildings, and the staff report was prepared accordingly. At the time the original request for grant funds to assist with the playground modification project was considered, the concrete columns and roof were to be constructed in phase II of the project. The commission has not received an application for a Certificate of Appropriateness for the second phase of the project.

Mr. Gerving stated the contractor commenced with work on the site today. The scope of work includes resurfacing the playground area with a rubber matting and installation of new playground equipment. If the columns are poured a year from now during phase II, all of that material and equipment will have to be removed at a considerable expense.

Chairperson Speirs cautioned against approving this unanticipated request. She suggested the school immediately submit an Application for a Certificate of Appropriateness for phase II, staff could conduct a telephone poll of the commission regarding the application, and if approved, phase II of the project could be considered during the upcoming budget hearings. Following a considerable amount of discussion, upon vote taken thereon, the aforementioned motion carried unanimously.

Mr. Wilson suggested the school proceed with the columns "with the very clear understanding that the roof has not been approved" for historic preservation funds. Motion by Mr. Derosier, seconded by Mr. Love, to approve the placement of the columns with the understanding that the roof has not been approved at this time. Mitch Chapel explained the rationale for a roof over portions of the playground. In the winter months, the adjacent school buildings limit exposure to the sun resulting in a number of minor injuries due to ice on the playground. Chemical applications to minimize the conditions have resulted in damage to the carpet on the interior of the school. The main emphasis of the project is to increase the safety of the students. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

**666 Main, Van Den Eykel, Reroof**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests a Certificate of Appropriateness to reroof 666 Main.

Applicant: Jim VanDenEykel  
Owner: Jim VanDenEykel  
Constructed: 1879

**CRITERIA FOR THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS**

**The Historic District Commission shall use the following criteria in granting or denying a Certificate of Appropriateness:**

**General Factors:**

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

**2. Architectural design of the resource and proposed alterations:** The building is a two-story brick structure. The front façade and side façade were altered in 1950. The owner is proposing to reroof the flat roof that is hidden behind the parapet

**3. General appearance of the resource:** This will not change the appearance of the building.

**Attachments:**

**Photo**

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

Motion by Dr. Guilbert, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve a Certificate of Appropriateness to reroof the structure at 666 Main, proposed by the applicant and property owner, Jim VanDenEykel, as presented.

**5-9 Lee, 44-48 Sherman, Awnings**

Mr. Wilson referred the commission to the following staff report:

**STAFF REPORT**

The applicant requests permission to place a sign at 5-9 Lee.

Address: 5-9 Lee

Applicant: Deadwood Development Co.

**Size:** 3' x 4' and 70" x 90"

**Location:** The owner proposes to place them on the property between the buildings and the street.

**Material:** Painted wood and metal

**Is a variance required?** Yes

**Comments:** The ordinance allows an owner to substitute a freestanding sign for a projecting sign if the building is more than 15' from the street. The ordinance does specify that the sign may be no larger than 10 square feet. The proposed signs would need a variance for size. The larger sign would be placed on the sign framework that was previously used for the Trial Sign.

Motion by Mr. Love, seconded by Ms. Ochse and carried unanimously to adopt a resolution to approve a Certificate of Appropriateness to install awnings at 5-9 Lee, 44-48 Sherman, proposed by the applicant and property owner, Deadwood Development Company, as presented.

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

**Retaining Wall Fund Voucher**

None.

**Revolving Loan Fund Disbursements**

Ms. Lalonde moved, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve the Revolving Loan Fund Disbursements totaling \$39,667.94 to the following: Deadwood Home Center, \$873.77;

Lehmen Construction, \$8,642.43; Deadwood Home Center, \$332.94; Lehmen Construction, \$7,989.42; Deadwood Home Center, \$17.96; NHS of the Black Hills, \$21,725.00 and \$86.42, as presented.

**NHS Financial Report**

None.

**Review Loan Delinquency Report**

Jeanna Dewey stated there are no changes to report.

**22 Jefferson, Johnson Loan**

Motion by Mr. Love, seconded by Ms. Lalonde and carried unanimously to adopt a resolution approving a zero percent (0%) life safety loan to Clayton Johnson, 22 Jefferson, in the amount of \$3,850.00, as presented.

**Retaining Wall Grant Journal – FYI**

The updated 2003-2004 Retaining Wall Journal was distributed for information only.

**COMMITTEE REPORTS:**

Budget

Mr. Wilson reported there has been discussion regarding impact funds. Additional information will be distributed prior to the upcoming budget hearings.

Museum

No report was given.

HistoryLink

Dedication of the first two neighborhood plaques is scheduled for July 6<sup>th</sup>.

Advocacy

Mr. Wilson is planning to meet with the NHS representative next week.

Chamber of Commerce

Ms. Lalonde reported the chamber meeting is next week. Chairperson Speirs spoke favorably on the recent Wild Bill Days.

NHS

No report was given.

Hall of Fame and Recognition Committee

Mr. Wilson reported the committee is seeking additional photographs of the honorees.

Chairperson Speirs will announced committee reappointments at the next meeting.

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

Mayor Toscana publicly thanked Troy Love for his years of service to the commission.

**OTHER BUSINESS:**

Mr. Wilson stated there will a dedication of the second Jewish settlement sign at the Adams House on Sunday, June 26<sup>th</sup>, immediately following the band concert, which begins at 2 p.m.

Parliamentary procedures at a glance - FYI

Distributed with the packet for information only.

Tammy McGuckin Resignation - FYI

Distributed with the packet for information only.

Chairperson Speirs requested a short executive session to discuss contractual matters with no action to be action thereafter.

Wednesday, June 22, 2005  
HPC

**ADJOURNMENT:**

As there was no further business to come before the commission at this time, Mr. Love moved, seconded by Dr. Guilbert and carried unanimously to adjourn the meeting at 6:35 p.m.

**ATTEST:**

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Ms. Rose Speirs  
Chairperson  
Historic Preservation Commission  
MBurket/Secretary