

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, December 26, 2018 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of HPC Meeting Minutes
 - a. December 12, 2018 Executive Session
 - b. December 12, 2018 Regular Meeting
3. Voucher Approval
4. HP Programs and Revolving Loan Program
 - a. Grant Voucher Approval
 - b. HP Grant Application Approval – **Exhibit A**
 - i. Elise Kirkpatrick – 110 McGovern Hill – Foundation, Siding and Wood Windows & Doors
 - c. Revolving Loan Program Voucher Approval
 - d. Revolving Loan – Loan Requests – **Exhibit B**
 - i. Upper Floor Revitalization Loan Program
 - ii. Tim Coomes – 55 Taylor – Retaining Wall Loan Request
 - iii. Hills Partnership – 158 Williams – Loan Extension Request
5. Old or General Business
 - a. Main Street Initiative Update
 - b. 2018 Outside Deadwood Grant Extension Request – Faulk County Historical Society – **Exhibit C**
 - c. Renewal of NeighborWorks Contract – **Exhibit D**
 - d. PA 180506 – Judi Luna – 110 McGovern Hill – Replace Roof – Continued – **Exhibit E**
6. New Matters before the Deadwood Historic District Commission
7. New Matters before the Deadwood Historic Preservation Commission
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
9. Staff Report (*Items considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other Business

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

City of Deadwood
HISTORIC PRESERVATION COMMISSION
Wednesday, December 26, 2018

Present Historic Preservation Commission: Michael Johnson, Lyman Toews, Beverly Posey, Ann Ochse, Dale Berg and Robin Carmody

Absent: Thomas Blair

Present City Commission: Charlie Struble

Present Staff: Kevin Kuchenbecker, Historic Preservation Officer and Bonny Anfinson, Program Coordinator

All motions passed unanimously unless otherwise stated.

A quorum present, Chairman Michael Johnson called the Deadwood Historic Preservation Commission meeting to order Wednesday, December 26, 2018 at 5:00 p.m. in the Commission Room located in City Hall at 108 Sherman Street in Deadwood, SD.

All Angels Episcopal Church

Don Derosier presented thank you baskets from All Angels Episcopal Church for Outside of Deadwood Grants funding over the years. The most memorable is the grant for the stained glass windows. Mr. Derosier thanked Kevin Kuchenbecker for making the grant process easy.

Approval of HPC Minutes:

December 12, 2018 Executive Session

It was moved by Ms. Posey and seconded by Mr. Toews to approve the attendance record of the Executive Session for Wednesday, December 12, 2018. Aye – All. Motion carried.

December 12, 2018 Regular Meeting

Ms. Ochse stated there were comments not included in the minutes. Mr. Toew's explanation of the significance of the slime plant; Mr. Blair's economic success of the campground and the economic benefit of the chalets; Mr. Johnson's discussion with the past Deadwood Mayor and the chalet's benefit to Deadwood's economy. Mr. Toews stated the minutes should reflect some of the discussion that went on that we just didn't accept everything without discussion. These items need to be added to the minutes. Under items from Citizens the word Carolyn should be Carolyn Weber. ***It was moved by Ms. Posey and seconded by Mr. Berg to continue the approval of the minutes to the next meeting. Aye – All. Motion carried.***

Voucher Approval:

It was moved by Mr. Toews and seconded by Ms. Posey to approve the HP Operating Account in the amount of \$50,454.05. Aye – All. Motion carried.

Revolving Loan Fund and Historic Preservation Programs:

HP Program Grant Funds

It was moved by Mr. Toews and seconded by Ms. Posey to approve HP Grant Fund disbursements in the amount of \$50,637.41, based on information as presented. Aye - All. Motion carried.

HP Grant Application Approval – Exhibit A

- i. Elise Kirkpatrick – 110 McGovern Hill – Foundation, Siding and Wood Windows and Doors

Mr. Kuchenbecker stated the applicant has applied for the foundation, siding and wood windows and doors program. The applicant meets the criteria for the foundation, siding and wood windows and doors programs and will coordinate with the applicant during the project. They are also working with Neighborworks for additional funding. ***It was moved by Mr. Toews and seconded by Ms. Posey to enter Elise Kirkpatrick, 110 McGovern Hill, into the foundation, siding and wood windows and doors grant programs. Aye – All. Motion Carried.***

Revolving Loan Program Voucher Approval

It was moved by Mr. Toews and seconded by Ms. Posey to approve the Revolving Loan Program Vouchers in the amount of \$300.00, based on information as presented. Aye – All. Motion Carried.

Mr. Walker presented the Neighborworks financial report.

Revolving Loan Program – Exhibit B

- i. Upper Floor Revitalization Loan Program
- ii. Tim Coomes – 55 Taylor – Retaining Wall Loan Request
- iii. Hills Partnership – 158 Williams – Loan Extension Request

It was moved by Mr. Toews and seconded by Ms. Posey to remove the Upper Floor Revitalization Loan Program from the consent agenda to address the item separately and approve the loan requests for

***Tim Coomes, 55 Taylor, Retaining Wall and Hills Partnership, 158 Williams, Loan Extension Request.
Aye – All. Motion Carried.***

i. Upper Floor Revitalization Loan Program.

Mr. Walker stated the Upper Floor Revitalization Loan Program has been reviewed by Loan Committee with favorable comments received to adopt this program. It is a commercial loan program that allows for up to \$250,000 at 0% rate for a three year term to allow for upper floor development for residential or commercial use. Any additional funds would fall under the commercial market rate which is at 5.5% right now. It would be subordinate loans just like all of the other programs. This would give a carrot to individuals to invest money into the upper floor developments. Mr. Toews asked how do we determine which business gets this and who doesn't. Mr. Walker stated when we are looking at a request we are looking at a legal description for a project. So if the applicant has multiple buildings and addresses but because it was one project they can only apply for one loan. Mr. Kuchenbecker stated it would be one loan per building. Mr. Toews stated we have about a million and a half dollars remaining in our fund. How will we regulate the requests. Mr. Walker stated the current loan guidelines states one loan cannot use up to 30% of the loan pool or any one loan itself. Additional restrictions have not been considered. Mr. Toews stated we need to discuss this during our bonding meeting in January. What if five people were to come in and request funding. It would be great for historic preservation but how will we fund them. We would be out of money. Mr. Walker stated we need to have a discussion about the revolving fund itself. Ms. Ochse stated we talked about this in loan committee and the one thing we came up with was if we don't have the money we can't loan it. If five guys came in it would have to be on a first come first serve basis. Mr. Toews stated there is a pecking order. The residents come first. We need to leave some aside for the residents. Ms. Ochse stated without bonding funds we would just have to live with it. Ms. Posey asked if we have had interest in the program yet. Mr. Walker stated Wayne's Morris's company and one other local business were also interested. They are looking at a smaller loan amount. This program will give the owners a chance to save a little bit of money up front before they see any returns. Ms. Carmody asked if we need to include limits in the approval. Ms. Ochse stated if we don't have the money for it, it would be turned down. Mr. Berg asked what if they wanted to develop their basement. Mr. Walker stated currently this program will only address the upper floor only. ***It was moved by Mr. Toews and seconded by Ms. Posey to approve the Upper Floor Revitalization Loan Program. Aye – All. Motion Carried.***

Old or General Business:

2018 Outside of Deadwood Grant Extension Request – Faulk County Historical Society – Exhibit C

Mr. Kuchenbecker stated the Faulk County Historical Society is requesting an extension of the 2018 Outside of Deadwood Grant. The contractor they hired to do the project was unable to do the work due to health issues so the applicant will have to secure another contractor. They are requesting a six month extension which will expire on August 29, 2019. ***It was moved by Mr. Posey and seconded by Ms. Ochse to recommend to the City Commission adoption of the Deadwood Comprehensive Plan. Aye - All. Motion carried.***

Renewal of Neighborworks Contract – Exhibit D

Mr. Kuchenbecker stated this is the same contract and costs as the previous contract for the revolving loan fund. Year to date we have expended \$37,600. The agreement is for \$60,000. We have talked about lowering it but we wanted to get through one more year so we can compare how we were able to save money on the administration. Staff recommends approval to the City Commission. Mr. Toews asked for the rate sheet that should accompany the contract. Mr. Walker stated the fees should be the same as last year and will send a revised copy. ***It was moved by Mr. Toews and seconded by Ms. Ochse to recommend to the City Commission approval of the Neighborworks Contract. Aye - All. Motion carried.***

PA 180506 – Judi Luna – 110 McGovern Hill – Replace Roof – Continued from Last Meeting - Exhibit D

Mr. Walker stated the reason the applicant thought they could use metal for roofing was based on information found on the City of Deadwood website called Residential Neighborhood Design Guidelines and presented a copy of the page from which it discusses roofing materials, "Although historical accuracy in roofing materials is not required, it will generally be most appropriate to preserve the type and unit scale of original roofing. In some circumstances, the roofing materials are an important architectural feature which should be preserved. For example, shingled roofs should remain shingled, tiled roofs should remain tiled, if possible. Appropriate roofing colors include a broad range. However, the color should be subtle rather than bright. The use of non-flammable materials should be encouraged if they provide an historic appearance." The owner used this information to determine if they could purchase metal roofing. The owners have approached Neighborworks and HP and applied for loans and grants. After site inspection there is significant structural damage to the home. They are currently doing things to stabilize the home and looking at a much larger project than originally thought. Mr. Kuchenbecker stated the applicant is withdrawing their request as they are going to use asphalt singles instead of metal roof.

New Matters before the Deadwood Historic District Commission

New Matters before the Deadwood Historic Preservation Commission

Items from Citizens not on Agenda

Staff Report: *(items will be considered but no action will be taken at this time.)*

Mr. Kuchenbecker stated the ground breaking ceremony for the Outlaw Square is January 7 at 1:00 p.m. The City Commission will be holding a special meeting on January 2, 1:00 p.m. to review bid package to demo the Franklin Motor Lodge and award it. Mr. Kuchenbecker acknowledged the new tablets and the transition period will allow us to work through some of the kinks. A paper copy of the agenda will always be available. Since we have the pads Mr. Kuchenbecker encouraged the commission to go to ***Black Hills Pioneer Explore the Black Hills*** and download it and give your feedback for updates for the upcoming season. If you wish to go to The Tourism Conference it is January 15-17. Let staff know ASAP for registration and hotel rooms. The Archive Report is in the packet.

Committee Reports:

Ms. Carmody stated James McGregor was in town and he was staying at the Franklin. He came to the welcome center to show me his book and backup the information that was in his book. He is saying that his grandfather told him that Jack McCall did not kill Wild Bill. This was a conspiracy from the Irish gang from New York. They tracked down Wild Bill and California Joe and killed them both.

Ms. Ochse stated the Bed and Breakfast that sits down by the old pizza hut is charging \$525 a night illegally. Ms. Anfinson stated the area is zoned commercial and is legal. A vacation rental is legal but a BNB is not if it is not staffed. Mr. Kuchenbecker stated the owner has a landscape company to do the landscape work in front of the building this spring. Ms. Ochse asked if someone is on site when they are renting this out. Mr. Kuchenbecker will discuss with Bob Nelson Jr. Mr. Berg stated as long as they are licensed and commercially zoned they should be able to run it. Mr. Kuchenbecker stated it is no different than what is upstairs at Mr. Berg's business. Ms. Ochse stated as long as they are paying taxes on it. Mr. Berg stated he pays twice a year.

Ms. Ochse stated at the last meeting she felt threatened when a member of the audience stood up and pointed her finger at me and yelled "You are fear mongering". Nobody said anything. Nobody said you are out of order. This should not be happening. If we allow people to do this then we do not feel safe as commissioners. I do not feel safe because nobody stopped her. It could have been a gun as well as her finger pointing at me. We should ask the Mayor to have a police presence at HP meetings. Mr. Toews stated we have done this at some meetings that we thought were contentious. Ms. Ochse stated no one said you were out of order or sit down. Mr. Johnson apologized for letting it happen. Mr. Johnson stated he was threatened on the phone over that meeting and he had to neutralize it. It was a difficult threat against me. Mr. Toews stated if there is a contentious meeting we should have an officer present. Mr. Kuchenbecker stated he will make a note of this as well.

Mr. Toews stated the Design Committee meets next week.

Mr. Kuchenbecker stated the Loan Committee will be meeting on January 2 at 10:30.

Other Business:

The Historic Preservation Commission Meeting adjourned at 5:37 p.m.

ATTEST:

Chairman, Historic Preservation Commission
Bonny Anfinson, Historic Preservation Office/Recording Secretary