

## **DEADWOOD HISTORIC PRESERVATION COMMISSION**

**Wednesday, January 24, 2018 ~ 5:00 p.m.**

City Hall, 108 Sherman Street, Deadwood, South Dakota

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1. Call meeting to Order
2. Approval of HPC Meeting Minutes
  - a. January 10, 2018 Regular Meeting
3. Voucher Approval
4. HP Programs and Revolving Loan Program
5. Old or General Business
  - a. Main Street Initiative update
  - b. Discussion and review of First Gold site visit from 3:00 p.m. on January 23, 2018 – No action
  - c. Permission for Chair to sign Agreement for Administration of Deadwood Historic Preservation Revolving Loan and Grant Funds – Exhibit A
  - d. Permission for Chair to sign Second Amended Lease Agreement with Option to Purchase – Exhibit B
6. New Matters before the Deadwood Historic District Commission
7. New Matters before the Deadwood Historic Preservation Commission
  - a. PH H1801 – Earnest & Linda Fry – 51 Taylor – Move Front Door/Replace Back & Basement Doors/Install New Siding – Exhibit C
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
12. Adjournment

*\*All Applications **MUST** arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

**City of Deadwood**  
**HISTORIC PRESERVATION COMMISSION**  
**Wednesday, January 24, 2018**

**Present Historic Preservation Commission:** Michael Johnson, Lyman Toews, Ann Ochse, Thomas Blair, Beverly Posey, Lynn Namminga and Dale Berg.

**Absent:**

**Present City Commission:** Dave Ruth, Jr.

**Present Staff:** Kevin Kuchenbecker, Historic Preservation Officer, Mike Walker, of NeighborWorks-Dakota Home Services, and Bonny Anfinson, Recording Secretary were present.

**All motions passed unanimously unless otherwise stated.**

A quorum present, Chairman Michael Johnson called the Deadwood Historic Preservation Commission meeting to order Wednesday, January 24, 2018 at 5:00 p.m. in the Commission Room located in City Hall at 108 Sherman Street in Deadwood, SD.

**Approval of HPC Minutes:**

January 10, 2018 Regular Meeting

***It was moved by Ms. Ochse and seconded by Mr. Blair to approve the HPC minutes of Wednesday, January 10, 2018. 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 \$42,722.01 with direction to hold the Masonic Temple payment until HP receives a copy of the report. 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. Ochse to approve HP Grant Fund disbursements in the amount of \$4,314.02, based on information as presented. Aye - All. Motion carried.***

**Revolving Loan Program/Disbursements**

Mike Walker, of NeighborWorks-Dakota Home Services, presented the delinquency report.

**Old or General Business:**

Main Street Initiative Update – Kevin Kuchenbecker – No Exhibit

Mr. Kuchenbecker updated the commission Main Street Initiative Committees:

- The Promotion Committee held the K-9 Keg Pull on January 20 and it was a success with 39 dogs participating and the street was lined with spectators. On February 5 the Gaming Commission will be meeting with the City Commission to establish a volunteer participation in Bid 8. This would be a \$2 room tax used for revitalization and establishment of the squares.
- Design Committee is ordering flowers for the pots on Main Street. Working on the bunting across Main Street and an archway between Wells Fargo and the Franklin.
- Economic Restructuring is working with the SDSU students and the students are planning a meeting with the building owners. Working on the dashboard of economic indicators.
- The Main Street Initiative Committee: Mr. Kuchenbecker handed out an organizational chart of the Main Street Initiative which lists projects that are complete and projects in progress.
- Organization Committee: Working on the development and establishment of Bid 9 in partnership with the Downtown Business Club.

**Discussion and review of First Gold site visit from 3:00 p.m. on January 23, 2018 – No Action**

Mr. Towey stated the site visit was centered on the west side, or back side of the building. There is a walking corridor that has never been graded. The sluff off the hill is about to overtop the roof in the walkway. The goal of this project is purely maintenance. The owner needs to be able to get equipment back in behind the structure. Realistically they only need a bobcat. Mr. Berg asked how much of the hill has to go to do that. Mr. Towey stated to get the bobcat back there they need to utilize the bigger equipment to bring down the hill. The preliminary plan shows moving about 9,000 yards of dirt. We thought everything would be contained behind the building. When you go in from the east you can't get anything back there but a bobcat. Not a lot of heights will change. There will be an open cut to make the path around. Forty to fifty feet on the east side and fifty or sixty on the west side. Mr. Berg asked how the open cut will look. Mr. Towey stated it will look the same way. Ms. Posey asked it if was sixteen feet. Mr. Towey stated yes. Plans are to build a flat path that is going to be sixteen feet wide. The wall will look the same as the other ones.

Mr. Towey stated one of the other things they are looking at is drainage. The water is building against the foundation. Mr. Blair asked what will be done with the sluff and what is carved out of the hill. Mr. Towey stated it is taken over to the hills site. Mr. Toews stated he agrees with the potential water problem, roof runoff, slope run off where earth is higher than water barriers; debris problem, earth falling on walkway roof; maintenance problem, regular mucking; don't want to unnecessarily remove more slope; slope remediation problematic, grouting and seeding; don't want to spend more money than necessary; minimize duration and size of disturbing parking lot. Mr. Toews stated things that are debatable are a sixteen foot wide driveway around the building is necessary; slope cuts proposed, the hill may take more slope than planned; mechanized solutions may not be the answer; annual mucking by machine vs by hand. Mr. Namminga stated you can do this a lot simpler and cheaper than tearing out the hill just to make it convenient to get a bobcat in there. There is a lot of equipment now that is smaller that can go behind the walk way. I can't see tearing a mountain down to make a roadway. Mr. Towey stated there is debris pushing against the building back there that is causing a water issue. Getting the material further away than eight feet would be better.

Mr. Toews would like to see if hydro seeding would work on the hill without any mediation. Mr. Blair stated he has hydro seeded an area at the camp ground. These hills are pretty steep. For the most part it has worked. Mr. Towey is not sure if you can get a hydro seeding truck back there to seed it. Mr. Anderson stated you can get hydro seed to spray that high. Mr. Kuchenbecker stated you have to put a bench up there and work your way down. So as you are working your way back down you can hydro seed. It could be an option.

Mr. Towey asked if they can take what they have been discussing and make a requirement of that and move forward. We really need to get behind the building. Mr. Toews stated I have a hard time seeing a big expenditure versus a small expenditure. It is a financial decision you will have to deal with. Blend this thing together so it looks addressed not just patched together. We will need to know how much hillside you expect to take down and find a way to not go beyond that. Ms. Posey asked if this project is eligible for a performance bond. Mr. Kuchenbecker stated he believes that is the case. Mr. Posey stated it would put some guarantees on what is done.

Ms. Ochse stated she has some comments from a historical perspective. The visitor survey came out this past week. This was completed by visitors in Deadwood. It points out almost 57% of the visitors came here for the history and only 2% came here for the gaming. History is now the draw for visitors. When you look at Deadwood as a Historic Landmark it is not just the cobble stone streets and the buildings it's the whole millue. It is a town building in a valley with mountains up above it. If we start chopping down those mountains we could lose our landmark status. It changes what the history of Deadwood is and how it looks. I agree with Mr. Toews. We can do something back there that doesn't involve taking sixteen feet back into the hill.

Mr. Namminga stated when the building was first built why weren't the engineers anticipating the sluffing issue. The Engineer should be held responsible. Whats to say the same thing isn't going to happen again after tearing into the hill. Mr. Towey stated staff has been getting back into those areas and cleaning them up. As to what the engineers did before I cannot answer. I've seen the original drawings and I know they go back a ways. Ms. Ochse stated she was on Historic Preservation back then and one of the things that was supposed to be done is hydro seed the whole hillside so this problem wouldn't occur.

Chair Johnson stated we cannot take any action on this matter tonight. Thank you for informing us and we appreciate the opportunity to view the structure. It helps put this into prospective as to what you are asking. Mr. Kuchenbecker stated the approval is in the hands of the applicant. Nothing has been formally submitted so there is no action to be taken. Once we receive the project approval it will be placed on the agenda. Mr. Towey thinks they can come up with a plan; grade the hill and hydro seed the whole hill. Even if I do all this we will still get shot down. Everyone is against taking dirt out of the hill. Mr. Toews reconfirmed that his comment was minimal amount of dirt, not that they can't take dirt out. Let's find a way to do this as minimally as possible. Go back and rethink the plan. I think it would be cheaper to remove by hand. \$10,000 is a lot cheaper than half a million. That is my opinion.

Permission for Chair to sign agreement for Administration of Deadwood Historic Preservation Revolving Loan and Grant Funds – Exhibit A

***It was moved by Mr. Blair and seconded by Mr. Toews to direct Chairman to sign the agreement between the City of Deadwood Historic Preservation and Neighborhood Housing Services of the Black Hills for the 2018 Agreement. Aye - All. Motion carried.***

Permission for Chair to sign agreement for Second Amended Lease Agreement with Option to Purchase – Exhibit B  
***It was moved by Mr. Toews and seconded by Ms. Posey to direct the Chairman to sign the Second Amended Lease Agreement with Option to Purchase between the City of Deadwood Historic***

**Preservation Commission and Blake and Melanie Haverberg; Martin Mason Restoration, LLC. The initial term of this agreement will expire December 31, 2022. Aye - All. Motion carried.**

### **New Matters before the Deadwood Historic District Commission**

#### **New Matters before the Deadwood Historic Preservation Commission**

PH H1801 – Earnest & Linda Gry – 51 Taylor – Move Front Door/Replace Back and Basement Doors/Install New Siding – Exhibit C

Mr. Kuchenbecker stated the applicant is requesting permission to move the front door three feet to the right so that the entrance is in the main area of the house and not the master bed room. Also requesting permission to replace the basement door, back door, install stone to the front face of the house, install new horizontal lap siding, and build steps from the drive way to the front deck. The applicant has agreed to a 6" lap siding providing a 5" reveal. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Ms. Posey and seconded by Ms. Ochse based upon all of the evidence presented, I find that the project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places, and therefore move to grant a project approval. Aye - All. Motion carried.***

### **Items from Citizens not on Agenda**

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

Mr. Kuchenbecker thanked Ms. Anfinson and Chair Johnson for partaking in the Tourism Conference. While there a check and plaque was presented to the Pierre/Ft. Pierre Historic Foundation for work on the chateau. It was in the Pierre Journal the following day. On Thursday we were at the court house serving breakfast and lunch to the legislators. The South Dakota Hall of Fame had their awards in the rotunda of the Capital building. The Deadwood Historic Preservation Commission was recognized for their support of the west river trails project. There were 14 legislature and staff sitting at our tables during the GALA.

Mr. Kuchenbecker showed a picture that was purchased on e-bay. The picture is of a freight train, 1881, Rapid City to Deadwood. It says Evans Transportation Company. Fred Evans was in Deadwood and ended up in Hot Springs.

Last week the Planning and Zoning Commission continued a topic with First Gold on the Terrace Hotel Sign. The First Gold has changed from the Terrace Hotel, the First Gold Hotel and now Travel Lodge. They are requesting to take the Terrace sign down. Under the City Ordinance that is not allowed because it is a landmark sign. It is 25 years of age or older. This body has no say on whether they issue a variance. One of the things the applicant is requesting is if they are allowed to take it down they would like to donate it to the City. Is this something the HP Commission would accept. Mr. Ruth stated he was the one who encouraged them to continue the discussion because regardless of the discussion happening at that time they felt they needed to know the ultimate outcome of the sign. If they gave the variance they didn't want the sign to disappear but at that time they didn't know if HP would be interested in receiving the sign whether you put it in cold storage until you find an appropriate place to display or just store it. The concern is that at some point it could be left to its own devices and deteriorate or get run into or come down and disappear. I just verified with Mr. Anderson if P & Z gave them the variance to move the sign they would give it to HP and not ask for anything in return, just a gift. The question I have to Mr. Kuchenbecker is it better if we step in and save it by preserving it in a different location like the spot liquor sign. It would be a shame for the variance to be granted and the sign to never be seen again. It is Planning and Zoning decision as far as the ordinance goes. Ms. Ochse stated they wanted to take it down about sixteen years ago and at that time it was denied. Mr. Ruth stated it has been moved multiple times and he would not want to see it turn into a casualty like the Sinclair Station. Ms. Posey stated this isn't the first time we have taken over a sign. We have the Lariat which was donated to Deadwood History and on display at Days of 76. We own the Tootsie Sign and the Wild Bill Sign which is lease back to the Wild Bill Bar. Mr. Kuchenbecker stated he would reach out to Deadwood History and see if they would want it on display otherwise it would go into cold storage until a location is found.

Mr. Kuchenbecker stated in 2008 the sign responsibilities shifted to Planning and Zoning from the Historic Preservation Commission. It was allowed to be moved and it was allowed to be added to. Mr. Toews would much rather see a place for the sign and not storage. Mr. Berg concurred. Mr. Blair recommended the commission look around town and see if they locate a spot where the sign would fit and bring it to the next meeting. Mr. Kuchenbecker stated he will let Bob Nelson Jr. know, should P & Z make a decision to grant the variance, the HP Commission would want the sign. HP would then put it in storage or find a location.

Bonny Anfinson stated there are 24 applicants for the Outside of Deadwood grants. The deadline was January 18. The committee meets Monday at 10:00. Mr. Kuchenbecker stated the total funding request is \$415,000.00.

**Committee Reports:**

Mr. Toews stated the design committee flowers are moving forward. The archway sign is moving forward. Wayne has interest in the brothel museum and wants to move forward and is looking for financial support. Can we support a museum or not. What are we willing to do for a brothel museum? Mr. Kuchenbecker stated there is interest from Deadwood History. Ron Russo is concerned we would put him out of business. Mr. Toews stated there is a Mining History Association Conference June 6-10. Mr. Kuchenbecker stated we will probably be a sponsor of this event.

The Historic Preservation Commission Meeting adjourned at 6:05 p.m.

ATTEST:

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