

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, May 10 2017 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of HPC Meeting Regular Meeting Minutes – April 26, 2017
3. Voucher Approval
4. Old or General Business
 - a. Main Street Initiative Update and Committee Reports – No Exhibit
 - b. Complaints of possible Demolition by Neglect at 18 Adams – Exhibit A
5. New Matters before the Deadwood Historic District Commission
 - a. COA 17025 1, 3, 5 Burnham – Haverberg Family Ltd Partnership – Exterior Repairs – Exhibit B
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA H17021 39 Van Buren – Raven Van Tassel – Windows, Doors and Siding – Exhibit C
 - b. PA H17022 67 Taylor – Rich Turbiville – Windows – Exhibit D
 - c. PA H17023 148 Charles – Rodney & Claudia Howell – Windows and Doors – Exhibit E
 - d. PA H17024 39 Centennial – Judy Pease – Windows and Doors – Exhibit F
7. Revolving Loan Fund & HP Programs Update
 - a. HP Program Applications – Exhibit G
 - i. Rodney & Claudia Howell – 148 Charles St. – Wood Windows and Doors Program
 - ii. Raven Van Tassel – 39 Van Buren St. – Wood Windows and Doors Program
 - iii. Raven Van Tassel – 39 Van Buren St. – Siding Program
 - iv. Rich Turbiville – 67 Taylor Ave. – Wood Windows and Doors Program
 - v. Judy Pease – 39 Centennial – Wood Windows and Doors Program
 - vi. Judy Pease – 39 Centennial – Foundation Program
 - vii. Haverberg Family Limited Partnership – 1, 3, 5 Burnham St. – Façade Program
 - b. HP Program Grant Extensions – Exhibit H
 - i. Destiny/Brady Maynard – 4 Harrison – Wood Windows and Doors Program
 - ii. Bonnie Fosso – 170 Pleasant – Wood Windows and Doors Program
 - iii. Bonnie Fosso – 170 Pleasant – Siding Program
 - c. Revolving Loan Program – Exhibit I
 - i. Tracy Lewis – 512 Cliff – Subordination Request
 - ii. Larry & Lisa Schwindt – 36 Wabash – Subordination Request
 - iii. Bonnie Fosso – 170 Pleasant – Extension Requests
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

Executive Session for Legal Matters per South Dakota Codified Law 1-25-1 (3)

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

City of Deadwood
HISTORIC PRESERVATION COMMISSION
Wednesday, May 10, 2017

Present Historic Preservation Commission: Laura Floyd, Thomas Blair, Lyman Toews, Lynn Namminga and Michael Johnson.

Absent: Dale Berg

Present City Commission: Dave Ruth was present.

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, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, May 10, 2017 at 5:00 p.m. in the Commission Room located in the City Hall at 108 Sherman Street in Deadwood, SD.

Approval of April 26, 2017 HPC Minutes:

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the HPC minutes of Wednesday, April 26, 2017 as presented. Aye – All. Motion carried.

Voucher Approval:

It was moved by Mr. Johnson and seconded by Mr. Toews to approve the HP Operating Account in the amount of \$21,588.61. Aye – All. Motion carried.

Old or General Business:

Main Street Initiative Update and Committee Reports

Mr. Kuchenbecker stated the Promotion Committee along with the Neighborhood Block Clubs will be holding a plant swap and garden party on June 1, 2017 at the new Welcome Center from 3:00 – 6:00 p.m. The Design Committee has been working on the restoration of the Champion Auto Ghost Mural and seven wraps are being installed on transformers. Economic Restructuring hasn't met but Mr. Toews has been working on surveys with the building owners. Currently there is 41,000 square feet of underutilized second floor space on Main Street. The South Dakota American Institute of Architects has declined the design charrette, I am still working with the Department of Architecture at South Dakota State and they may be interested in working with it. The committee meets again next week. The City Commission approved the support of a \$2,000,000 commitment for the plaza and formed a Negotiation Committee to start discussions for the Century Link Building. The Committee will contact Century Link for copies of everything that has transpired so far on the negotiations of the building. Their first meeting will be in the next couple of weeks.

Complaints of possible Demolition by Neglect at 18 Adams – Exhibit A

Mr. Kuchenbecker stated our office has received letters from neighbors Karla Dower and Donna Watson expressing concern of the condition of the house at 18 Adams. The process is the Building Inspector, based on the complaints, does an inspection. The Building Inspector then consults with the Historic Preservation Officer, the City Planner and the Public Works Director. These individuals determine if it is Minimum Maintenance or Demolition by Neglect. If it is determined Demolition by Neglect the Building Inspector, within 15 days, will notify the owner. There would be a hearing in front of the Historic Preservation Commission to make a determination.

Mr. Kuchenbecker stated he has met with the owner in the past and explained the programs. The owner took the paper work but never entered into the programs. Mayor Turbiville has directed Trent Mohr, Building Inspector, to move forward with the inspection. Mr. Toews asked if this is something we would need legal counsel for. Mr. Kuchenbecker stated there would be legal counsel at the hearing. Ms. Dower stated she thought this property was already in the process of demolition by neglect. Mr. Toews stated it is difficult to get the City to do anything. We need your help to get people in this town aware of the issues like these and have motivation to do something. It's the people who live next to them whose property values decline. Mr. Toews requested having a Demolition by

Neglect Workshop to understand the process before we have a hearing. Mr. Kuchenbecker stated letters had been sent by the Building Inspector. We have never gotten to the Demolition by Neglect.

Mr. Kuchenbecker stated this is the first time the HP Commission has heard from the public and pushing the issue. He thanked the residents for speak up in these matters. Sharon Martinisko asked what if the owner denies access to the home. Mr. Kuchenbecker stated we would need legal counsel to answer that question. If nothing is done the City can step in and take a lien out on the property to fix it. Sharon Martinisko stated obviously this is not the only house with issues. Why have we not followed through and enforced the ordinance. If you have ordinances and you have guidelines and rules to follow you can't pick and choose who it is imposed upon. There has to be equal leverage. Why have these not been followed through and enforced.

Mr. Kuchenbecker stated a committee led by the HP office and the former Building Inspector identified about 26 properties in town. We put them into a list of high, medium and low priority. The Building Inspector sent letters to them. It is the follow up after the letters that needs to happen. This discussion should be taken to the City Commission. The HP would not be discussing this unless a property has been determined to be demolition by neglect. All minimum maintenance issues fall under the Building Inspector. It is in the hands of Public Works and the Building Inspector. Dave Ruth stated when this list was brought together there was momentum being generated and that is when the ordinance was created and passed then referred and subsequently voted down. Because of this there is a definite line between minimum maintenance and demolition by neglect. The City Commission was trying to combine the two to make it seamless. This is why it has stalled. The City of Deadwood has been and always will be a "complaint driven municipality". Now that this concern has been addressed we can now listen and investigate it and move it forward. If you know other properties feel free to bring it to the City's attention so it can be investigated. It is sad when we have programs and grants to fix these issues and they are not using them.

Mr. Kuchenbecker stated this is the first written complaint the office has received. Mr. Toews asked the public to keep the pressure on all of us to stay on this. Ms. Watson stated she heard that nothing has been done because the City has inadequate legal counsel. Mr. Ruth stated we were simply derailed because of the referred vote. Chair Floyd stated we need the public backing. Jean Makley stated this is also a fire hazard. Mr. Namminga stated when Donna Watson's tree was cut down the workers told him there may be mold on the roof. Mr. Ruth stated they will keep in contact with the Building Inspector until the inspection is done. If we don't follow the process to the letter and we go to court it would be thrown out. ***There was no action taken on this matter.***

New Matters before the Deadwood Historic District Commission

COA 17025 1, 3 5 Burnham – Haverberg Family Ltd Partnership – Exhibit B

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 1, 3 and 5 Burnham Avenue, a contributing structure located in the Elizabeth Town Planning Unit in the City of Deadwood, circa 1925. The applicant is requesting permission to repair windows and attach storm windows, repair two doors and replace one door. Repair foundation, electrical, water, plumbing and heating system. Add insulation and refinish existing floors on 1 Burnham. At 5 Burnham the applicant is requesting permission to replace the roof and siding, update plumbing, paint and insulate. At 3 Burnham the applicant wishes to restore the foundation and possibly rebuild the structure. 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 of Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Mr. Blair and seconded by Mr. Toews based upon the guidance found in DCO 17.68.050, the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant a Certification of Appropriateness. Aye – All. Motion carried.***

New Matters before the Deadwood Historic Preservation Commission

PA H17021 39 Van Buren – Raven Van Tassel – Windows, Doors and Siding – Exhibit C

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 39 Van Buren, a contributing structure located in the Ingleside Planning Unit, circa 1880. The applicant is requesting permission to repair and replace doors and windows. 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 of Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Mr. Toews and seconded by Mr. Johnson based upon all the evidence presented, this 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 contingent upon site review of project. Aye – All. Motion carried.***

PA H17022 67 Taylor – Rich Turbiville – Windows – Exhibit D

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 67 Taylor, a contributing structure located in Ingleside Planning Unit, circa 1905. The applicant is requesting permission to replace the aluminum windows with wood storm screen combos. 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 of Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Mr. Johnson and seconded by Mr. Blair based upon all the evidence presented, this 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.***

PA H17023 148 Charles – Rodney & Claudia Howell – Windows and Doors – Exhibit E

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 148 Charles, a contributing structure located in the Cleveland Planning Unit, circa 1890. The applicant is requesting permission to replace and/or repair windows and door. 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 of Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Mr. Blair and seconded by Mr. Johnson, based upon all the evidence presented, this project does 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.***

PA H17024 39 Centennial – Judy Pease – Windows and Doors – Exhibit F

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work done at 39 Centennial, a contributing structure located in the Forest Hill Planning Unit, circa 1890. The applicant is requesting permission to repair windows and doors and to repair the concrete porch floor. 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 Mr. Toews and seconded by Mr. Johnson based upon all the evidence presented, this 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.***

Revolving Loan Fund and Historic Preservation Programs:

HP Program Applications – Exhibit G

Rodney & Claudia Howell – 148 Charles St. – Wood Windows and Doors Program

Raven Van Tassel – 39 Van Buren St. – Wood Windows and Doors Program

Raven Van Tassel – 39 Van Buren St. – Siding Program

Rich Turbiville – 67 Taylor Ave. – Wood Windows and Doors Program

Judy Pease – 39 Centennial – Wood Windows and Doors Program

Judy Pease – 39 Centennial – Foundation Program

Haverberg Family Limited Partnership – 1, 3, 5 Burnham St. – Façade Program

It was moved by Mr. Toews and seconded by Mr. Johnson to approve the HP Program Applications, as presented. Aye – All. Motion carried.

HP Program Extensions – Exhibit H

Destiny/Brady Maynard – 4 Harrison – Wood Windows and Doors Program

Bonnie Fosso – 170 Pleasant – Wood Windows and Doors Program

Bonnie Fosso – 170 Pleasant – Siding Program

It was moved by Mr. Blair and seconded by Mr. Johnson to approve the program extensions as presented. Aye – All. Motion carried.

Revolving Loan Program/Disbursements

Revolving Loan Program – Exhibit I

Tracy Lewis – 512 Cliff – Subordination Request

Larry & Lisa Schwindt – 36 Wabash – Subordination Request

Bonnie Fosso – 170 Pleasant – Extension Requests

It was moved by Mr. Blair and seconded by Mr. Toews to approve the Revolving Loan Program Applications, as presented. Aye – All. Motion carried.

Revolving Loan Program Disbursements

It was moved by Mr. Toews and seconded by Mr. Johnson to approve HP Grant Fund disbursements in the amount of \$22,126.16, based on information as presented by Mr. Walker, of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

It was moved by Mr. Blair and seconded by Mr. Johnson to approve HP Revolving Loan Fund disbursements in the amount of \$36,867.36, based on information as presented by Mr. Walker, of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

The delinquency report was presented by Mr. Walker.

Items from Citizens not on Agenda

Chuck Miller from St. Onge expressed his thanks for the Head Stone Program.

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

Mr. Kuchenbecker reported on the following items:

- The Deadwood Pioneer documentary is May 16. Please RSVP to staff if you wish to attend the reception which is 6:00 to 7:00, the show is 7:00 and there will be a panel discussion afterwards;
- Historic Rehabilitation Program – On the 360 Williams project the front gable is done. They are working on the side. We are finally seeing progress. The Sorenson's have received quotes for their project but they are higher than expected and will try to get additional quotes. The Parks project contractors have been looking at the foundation, electrical and plumbing and will be submitting quotes;
- The exhibits will be delivered on Monday for the Deadwood Welcome Center. The installation will begin. They are working on the punch list;
- There is a bid opening for the retaining wall for Taylor Avenue;
- The baseball book was handed out to Commissioners that was done by Mike Runge and Dave Kemp;
- The Deadwood Chamber and Deadwood Alive have partnered on a new billboard going up at Exit 31. New ad campaign is "No Rules No Regrets";
- The Façade at the Deadwood Gulch Saloon is progressing.

Committee Reports:

- Chair Floyd stated Chuck Williams has resigned from the Historic Preservation Commission due to health issues. Mr. Toews asked if outgoing Commissioners will be receiving a plaque. Mr. Kuchenbecker stated yes.

Adjournment:

The Historic Preservation Commission Meeting adjourned at 5:58 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Bonny Anfinson, Historic Preservation Office/Recording Secretary