

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, January 13, 2016 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of HPC Meeting Minutes – December 22, 2015
3. Voucher Approval
4. Old or General Business
 - a. Larry Shama – Wood Window Program inquiry
 - b. Update on extending historic lighting costs on Highway 85 project – Exhibit A
 - c. Deadwood Revitalization request for partial funding – CenturyLink Study – Exhibit B
 - d. G.R.A.P.E. Committee Review of RFP's for Street Reenactments
 - e. 2016 City of Deadwood Archives Projects – Permission to enter into Agreements – Exhibit C
 - f. ESRI renewal for GIS software and maintenance – budgeted item – Exhibit D
5. New Matters before the Deadwood Historic District Commission
 - a. COA – Case #H16002 – 670-672 Main Street – Scott and Sharon Jacobs – Exhibit E
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA – Case #H16001 – 30 Jefferson – Robert Weber – Exhibit F
7. Revolving Loan Fund & HP Programs Update
 - a. HP Program Applications
 - b. Revolving Loan Program – Exhibit G
 - Lotus LLC Michael & Diane Perceovich – 21 Charles St. -- RLF Loan Request
 - Lotus LLC Michael & Diane Perceovich – 21 Charles St. – Vacant Home Loan Request
 - Lotus LLC Michael & Diane Perceovich – 21 Charles St. – Siding Loan Request
 - Lotus LLC Michael & Diane Perceovich – 21 Charles St. – Windows Loan Request
 - c. Retaining Wall Program Disbursements
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 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, January 13, 2016

Present Historic Preservation Commission: Michael Johnson, Lyman Toews, Thomas Blair, Dale Berg, Lynn Namminga, Chuck Williams and Laura Floyd were present.

Absent: Ms. Terri Williams, City Attorney was absent.

Present City Commission: Jim Van Den Eykel, Mark Speirs and Dave Ruth were present.

Mr. Kevin Kuchenbecker, Historic Preservation Officer, Joy McCracken and Mike Walker of NeighborWorks-Dakota Home Services and Bonny Fitch, Recording Secretary, were all present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Tuesday, December 22, 2015 at 5:00 PM in the Commission Room located in the City Hall at 108 Sherman Street in Deadwood, SD.

Approval of December 22, 2015 HPC Minutes:

It was moved by Mr. Blair and seconded by Mr. Namminga to approve the minutes of Wednesday, December 22, 2015 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 \$113,153.86. Aye – All. Motion carried.

It was moved by Mr. Johnson and seconded by Mr. Berg to approve the HP Bonded Account in the amount of \$3,690.00, Aye – All. Motion carried.

Old or General Business:

Larry Shama – Wood Window Program Inquiry

Larry Shama stated he desires to replace windows in his rental property at 147 Charles Street and wants to use composite windows instead of the required wood windows. Mr. Shama handed out a comparison report on composite window versus wood and the difference in price. Mr. Shama said the windows looks just like wood so why can't he use the composite window? He stated, it will last longer and have less upkeep. The cost for the composite window is much cheaper than the wood window. The composite window is 40% wood and 60% vinyl. Mr. Toews asked if this is a historic house. Mr. Shama wasn't sure but will find out. Mr. Kuchenbecker stated it was. Mr. Toews stated if grant or loan funds are used the state guidelines for wood needs to be followed. Mr. Shama stated he might participate in the program. Chair Floyd stated the program doesn't pay 100% for the windows. The recipient receives a certain dollar amount for each window to help offset the costs of wood windows. Chair Floyd stated we have two questions to answer here; can you enter into the program with a composite window and can you have composite windows on a historic house at all? Mr. Kuchenbecker stated the program has been set up to follow preservation standards therefore only wood windows would be allowed. The Historic Preservation Commission has followed these guidelines for the past seven years. There was an issue where a composite window was allowed due to it being a basement window and an issue of snow pack. A couple of times a window on the rear of the house has been allowed because it is not viewed by the general public. Mr. Kuchenbecker read a report from the SHPO Office stating the State doesn't recommend vinyl windows because they do not convey the same visual appearance as wood and doesn't have a very good track record for wear and tear. There are a couple exceptions when vinyl is considered; If it is not feasible or prudent to repair the existing window, or to replace it with wood or wood interior/metal clad exterior; If the window to be replaced is not visible from a public right-of-way; If there is only one window to be replaced, not all the windows in the home, and the window to be replaced is not character-defining; If the size, dimensions, design, etc. are matched as closely as possible to the original/existing window and no other feasible and prudent alternatives exist. Chair Floyd stated to Mr. Shama he will need to follow procedures and turn in a project approval for the windows. Mr. Toews stated the only change he would like to see to the program is increase the dollar amount allowed per window. He would not be for steering away from wood windows. Mr. Shama asked if he is not going to participate in the windows program can he still put in his composite windows. Chair Floyd stated he will still need approval from the Historic Preservation Commission. Mr. Toews requested to see a comparison in a double hung composite window versus a double hung wood window. Mr. Toews asked if the Commission has ever approved a double hung composite window on a contributing structure. Mr. Kuchenbecker stated not to his knowledge. Mr. Toews asked if we have approved a

composite window for a non-contributing structure. Mr. Kuchenbecker stated if the structure is noncontributing and the windows are part of the reason, the homeowner could use the grant program to help with the costs of wood windows to make it contributing. Mr. Kuchenbecker stated Mr. Shama would qualify for \$3,200 under our current program for the four windows he wants to replace. Chair Floyd stated as our program currently sits we are unable to offer any grant money unless you are installing wood windows. If Mr. Shama would like to come back with a Project Application to put the composite windows in without any financial assistance from us the Historic Preservation Commission will discuss it but be aware a request such as this has not been approved before. Chair Floyd stated according to the state a contributing structure should have wood windows unless there is a compelling reason it can't be done. Chair Floyd stated the Historic Preservation Commission will continue to review how the programs are meeting the needs of the owners.

Update on extending historic lighting costs on Highway 85 Project – Exhibit A

Mr. Kuchenbecker stated the recommendation from the previous Historic Preservation meeting was taken to the City Commission. The City Commission recommended to the Historic Preservation Commission to extend the lights to 306 Cliff Street. The estimate is \$266,000. The state has been keeping abreast of this issue and feels the cost would fall under the guidelines of Historic Preservation. Mr. Kuchenbecker stated this project is not budgeted for in 2016. The cost would have to be a supplemental budget. It could be added to items not completed in 2015 that will be supplemented in 2016. Mr. Speirs stated he did make a comment at the City Commission regarding looking for funding from the general reserve to help pay for this additional cost. That is not where the motion went. Mr. Speirs assumes the funding for this project will come out of the 2016 Historic Preservation reserves. Mr. Toews stated we need to add a reasonable contingency. Mr. Williams asked if this project has been bid or is this a negotiated supplement. Mr. Kuchenbecker stated there will be a RFP through the State Department of Transportation. Contractors and subcontractors would be involved and there would be a change order to the existing project through the DOT. Mr. Kuchenbecker stated this is a DOT Highway Project not a City Street project. ***Mr. Blair moved and Mr. Berg seconded to approve the project for \$266,000 to include a reasonable contingency. Aye – All. Motion carried.***

Deadwood Revitalization request for partial funding – Century Link Study - Exhibit B

Mike Rodman, Deadwood Revitalization Committee, stated they are requesting funds to help offset the costs of performing a feasibility study requested by CenturyLink. The cost of the study is \$36,494.10 and the Revitalization Committee is requesting \$18,247.05 from Historic Preservation Commission. The result of the study will give the Committee actual costs of relocating the CenturyLink equipment to the back of the building and the size and configuration of the structure; whether those costs address Deadwood's desire to have 1-Gig Internet service available to the community; determining the conditions and provide recommendations to ensure the integrity of the "Party" wall of the contributing building adjacent to the Century Link Building. Without the study this project cannot move forward. Susan Johnson presented the Commission with handouts detailing the extensive meetings the committee has held throughout the community and a little history of how 25 years ago a brilliant plan saved Deadwood; seven years ago gaming peaked in Deadwood. Ms. Johnson also presented information on "Why Deadwood Matters" and where the gaming money goes. There are many exciting things that could happen to Deadwood with this plaza. CenturyLink has gone from saying "No, we are not giving you this building" to "Yes, we will work with you on the disposition of the building." We need to find out what this project is going to cost so the Committee can apply for a major grant. Chair Floyd stated we need to determine if this is an expense we would be allowed to use Historic Preservation funds. Mr. Kuchenbecker stated according to the South Dakota Administrative Rules under Allowable Costs – Non-Construction the state might feel it would not fall under the guidelines. Chair Floyd asked at what point the community will decide we cannot afford this project. Mr. Rodman stated once we do this study we will know the total costs of the project. Anticipated construction costs are \$2.8 Million and the cost of the switch move would be part of the total. The good thing is there should not be acquisition costs of the building. CenturyLink is negotiating with us in good faith. Mr. Kuchenbecker handed out a printout of e-mail communications he has had with CenturyLink. Mr. Blair stated we need to reinvent Main Street. This is another step in the plan to revitalize Deadwood. Mr. Toews stated this is something we need to do in Deadwood but does not see where an evaluation study fits in the Historic Preservation guidelines.

Mr. Blair moved and Mr. Johnson seconded to approve the partial funds for \$18,247.05 contingent upon SHPO's opinion on if this is a proper allowable cost. Aye - All. Motion carried.

G.R.A.P.E. Committee Review of RFP's for Street Reenactments

Mr. Kuchenbecker stated the Historic Preservation Commission advertised for Request for Proposals to provide reenactments on Main Street and provide the Trial of Jack McCall Performances. Due to changes in the City's Actors

and Performers ordinance regarding street closures it is necessary to have a contracted organization providing this service and to be the only entity allowed to close Main Street per the new ordinance. One proposal was submitted from Deadwood Alive to provide historic main street re-enactments and perform the Trial of Jack McCall. The G.R.A.P.E. Committee reviewed the proposal and recommends approval.

Mr. Johnson moved and Mr. Williams seconded to accept the proposal from Deadwood Alive and enter into a five year renewable contract at a cost of \$103,000 each year and staff will work with legal counsel on preparing contract. Aye – All. Motion carried.

2016 City of Deadwood Archives Projects – Permission to enter into Agreements – Exhibit C

Mr. Kuchenbecker stated the City Archives is requesting permission to enter into contracts for the 2016 archives budgeted projects; Oral History at a cost of \$6,750; Lawrence County Mortuary Ledgers Indexing Project at a cost of \$8,000; Photo Conservation of Coburn Panoramic Images for cost of \$4,500; Digitization of Lawrence County Ledgers Project for a cost of \$2,100; 66 Taylor Avenue Final Report for a cost of \$5,000; Conservation of Archaeological Objects for a cost of \$1,300; Collections Site Visit from Maryland Archaeological Conservation laboratory for a cost of \$2,700; Phase II Botanical Conservation at a cost of \$3,100.

Mr. Toews moved and Mr. Blair seconded to allow City Archives to enter into agreements as part of the 2016 Archives budgeted projects for a combined cost of the eight projects not to exceed \$34,000.00. Aye-All. Motion carried.

ESRI Renewal for GIS Software and Maintenance – Budgeted Item – Exhibit D

Mr. Kuchenbecker stated the maintenance for the ESRI GIS Software is due for 2016. The maintenance agreements run from April 5, 2016 through April 4, 2017. This is the annual fee and it provides upgrades, maintenance and technical support for the software.

Mr. Blair and Mr. Johnson seconded to approve the renewal for the 2016 ESRI GIS Software in the amount of \$12,000.00. Aye-All. Motion carried.

New Matters before the Deadwood Historic District Commission

Case #H16002 – 670-672 Main Street - Scott and Sharon Jacobs – Exhibit E

Mr. Kuchenbecker stated the applicant would like to install two awnings on the front of the building with lettering referencing the art studio to be housed in the building reusing the existing retractable awning devices. In addition the owner wishes to hang three bronze plaques on the exterior of the building. The plaques will reference specific times in history that occurred in this historic building. Furthermore, the applicant would like to install four large windows over the door openings for merchandise display opportunities. The doors will remain but will be propped in an open manner as shown in the attached submitted documents.

Based upon guidance found in DCO 17.68.050, it was moved by Mr. Toews and seconded by Mr. Blair the plaques proposed are congruous with the historical, architectural, archaeological, or cultural aspects of the district and move to grant Certification of Appropriateness for the plaques located at 670-672 Main Street. Aye- All. Motion carried.

Based upon guidance found in DCO 17.68.050, it was moved by Mr. Blair and seconded by Mr. Toews the awning fabric and glass over entrance doors proposed are congruous with the historical, architectural, archaeological, or cultural aspects of the district and move to grant Certification of Appropriateness for the exterior repairs located at 670-672 Main Street. Aye- All. Motion carried.

New Matters before the Deadwood Historic Preservation Commission

Case #H16001 – 30 Jefferson – Robert Weber – Exhibit F

Mr. Kuchenbecker stated the applicant is requesting permission to replace the side door of the resource with a new wooden door.

Based upon all evidence presented, it was moved by Mr. Toews and seconded by Mr. Namminga 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 grant project approval for 30 Jefferson Street. Aye- All. Motion carried.

Revolving Loan Fund and Historic Preservation Programs:

Historic Preservation Program Applications

No applications were addressed at this meeting.

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Revolving Loan Program/Disbursements – Exhibit F

It was moved by Mr. Blair and seconded by Mr. Johnson to approve HP Revolving Loan Fund disbursement in amount of \$24,742.07, based on information as presented by Ms. McCracken, of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

The delinquency report, an update on projects and an overview of the revolving loan fund was presented.

Lotus LLC Michael & Diane Percevich – 21 Charles St. -- RLF Loan Request

Lotus LLC Michael & Diane Percevich – 21 Charles St. – Vacant Home Loan Request

Lotus LLC Michael & Diane Percevich – 21 Charles St. – Siding Loan Request

Lotus LLC Michael & Diane Percevich – 21 Charles St. – Windows Loan Request

It was moved by Mr. Toews and seconded by Mr. Blair to approve the Revolving Loan Fund Consent Agenda. Aye - All. Motion carried.

Retaining Wall Program Disbursements

It was moved by Mr. Johnson and seconded by Mr. Williams to approve the Retaining Wall disbursement in amount of \$22,680.00, based on information as presented by Ms. McCracken of NeighborWorks-Dakota Home Services. 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 reported on the following items:

- The Neighborhood Block Clubs in conjunction with our office prepared a 2016 Community Calendar. A copy is in the packet.
- Next week is the South Dakota Tourism Conference in Pierre. This office along with the Mayor will be setting up meetings with Tourism, Transportation and Game, Fish and Parks while in Pierre.

Committee Reports

Adjournment:

There being no other business, the Historic Preservation Commission Meeting adjourned at 6:42 p.m.

ATTEST:

Laura Floyd
Chairman, Historic Preservation Commission
Bonny Fitch, Historic Preservation Office/Recording Secretary