

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, October 22, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes from October 8, 2014
3. Voucher Approval
4. Old or General Business
 - a. Wall of Fame Presentation (temporary suspension of meeting)
 - b. Recommendation to accept donations 2014.12-2014.16
 - c. Cemetery Headstone Grant Applications
 - d. Chapter 17.68 – Ordinance update and recommendation to City Commission
 - e. PA – Case #14057 – 2 Freemont St – Demolition – Jeff Snedeker
5. New Matters before the Deadwood Historic District Commission
6. New Matters before the Deadwood Historic Preservation Commission
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - Travis Conrad – 10 Harrison Street
 - b. Revolving loan Program/Disbursements
 - Ronald Underhill – 28 Taylor Ave
 - David Folger & Erin Little – 15 Denver
 - 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.*

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, October 8, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes
 - a. Approval of Minutes from September 24, 2014
3. Voucher Approval
4. Old or General Business
 - a. Request for Off Season Deadwood Alive Programming
 - b. South Dakota Main Street Summit Meeting in Rapid City - SHPO
 - c. Chapter 17.68 – Ordinance update and recommendation to City Commission
 - d. PA – Case #14057 – 2 Freemont St – Demolition – Jeff Snedeker
 - e. GRAPE Recommendation - St. John's Episcopal Church project
5. New Matters before the Deadwood Historic District Commission
 - a. CoA – Case #14063 – Across from 555 Main St – Alter foundation/Retaining Wall – Donnie Patton
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA – Case # 14064 – 19 Centennial Ave – Siding – Greg Vecchi
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - i. Pete Kirchhevel – 316 Williams
 - ii. John Hopkins – 308 Williams
 - iii. Estate of Mary Ellen Casey – 61 Forest
 - iv. Pineview – 21 Lee Street
 - c. Retaining Wall Program / Disbursements
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
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CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION
Wednesday, October 8, 2014

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

Absent: Chuck Williams was absent

Mr. Kevin Kuchenbecker, Historic Preservation Officer; Ms. Terri Williams, City Attorney; Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services; and Mr. Mike Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services were all present.

Present City Commission members: Georgeann Silvernail and Dave Ruth Jr were present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, September 24, 2014 at 5:00 PM in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

Voucher Approval:

Approval of September 24, 2014 HPC Minutes:

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the minutes of Wednesday, September 10, 2014 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Mr. Johnson and seconded by Mr. Namminga to approve the HP Operating Account in the amount of \$138,764.55. Aye – All. Motion carried.

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the HP Bonded Account in the amount of \$1,366.60. Aye – All. Motion carried.

Old or General Business:

Request for Off Season Deadwood Alive Programming

Mr. Kuchenbecker disclosed he serves on the Deadwood Alive Board and will abstain himself from any discussion, however would present the request unless the Commission would like him to recuse himself. Commission acknowledged and chose not to have Mr. Kuchenbecker recuse himself.

Mr. Kuchenbecker informed the Commission Deadwood Alive is requesting additional HPC funding for off season funding for programming during the Fall and Winter 2014 as well as Spring 2015; request in the amount of \$3,000 is the same as last year. (The letter is attached hereto on Exhibit A and incorporated herein by this reference.) ***It was moved by Mr. Blair and seconded by Mr. Johnson to recommend to the City Commission to approve additional HPC funding to Deadwood Alive in the amount of \$3,000 from Public Education and Advocacy Budget line item as presented. Aye – All. Motion carried.***

South Dakota Main Street Summit Meeting in Rapid City - SHPO

Mr. Kuchenbecker invited Commissioners to attend the South Dakota Main Street Summit Meeting to be held on October 30-31, 2014 in Rapid City. The City of Deadwood has registered to participate; please contact the Historic Preservation Office no later than October 20th if you wish to attend. (The invitation is attached hereto on Exhibit B and incorporated herein by this reference.)

Chapter 17.68 – Ordinance update and recommendation to City Commission

Mr. Kuchenbecker reviewed *Chapter 17.68* noting the previous changes discussed. (The draft ordinance changes are attached hereto on Exhibit C and incorporated herein by this reference.)

Chair Floyd requested discussion of Ordinance to be limited to members of Commission and staff. Referring to minutes from May 24, 2014, Chair Floyd asked Ms. Williams, City Attorney, if she had any comments regarding adding definition of overlay zone and boundaries.

Ms. Williams stated she had the May 14 minutes in which the Ordinance was reviewed and stated her previous comments are reflected in the minutes.

Chair Floyd addressed Ms. Williams's suggestion to have more of a definition for the classification of planning units and zones under *17.68.010 Historic Overlay Zone*. She stated under *17.68.020 Historic Preservation Commission* and *17.68.030 Historic District Commission* it was suggested to define these two bodies making them mirror each other in some aspects to help clarify the overlay of where the units and zones are under. Chair Floyd asked Ms. Williams if that was correct in her understanding.

Ms. Williams concurred.

Mr. Toews asked if there were any other places in the ordinance or codes where the Commissions were defined.

Ms. Williams stated there were not.

Chair Floyd asked what we needed to do to add these definitions.

Ms. Williams stated Mr. Kuchenbecker has a nice way of describing to individuals on whether the project is dealing with Certificate of Appropriateness or Project Approval. She suggested she would like to see Mr. Kuchenbecker write up the definitions and input into each section.

Mr. Kuchenbecker suggested incorporating a map as the easiest solution; however it is hard to do when dealing with a code. He explained it is dealing with the 1981 City Limits as defined by the National Parks Service in 1985 when they defined the boundaries of the national Historic Landmark District. The district cuts through lots so to formally define it would be somewhat challenging.

Ms. Williams stated Mr. Kuchenbecker defined it perfectly in his last statement.

Chair Floyd asked Ms. Williams if Mr. Kuchenbecker's statement referencing "the 1981 City Limits as defined by the National Parks Service in 1985" was sufficed.

Ms. Williams affirmed that was correct; she stated there was no need for parcel by parcel descriptions.

Mr. Kuchenbecker stated the planning unit 4 is incorporated of four historic overlay zones.

Mr. Toews asked if within the ordinance a specific map could be referenced.

Ms. Williams stated she does think Planning and Zoning does refer to a specific map.

Mr. Kuchenbecker stated it could be incorporated by referencing *17.12.010 Zoning Map*.

Mr. Blair asked Mr. Kuchenbecker if there was a map defining the City of Deadwood's boundaries which the State used when passing the 1988 gambling rules and regulations.

Mr. Kuchenbecker informed the Commission the Zoning Map would reference the 1988 boundaries. He noted the Zoning Map would show when different annexations were as well as reference the National Historic Landmark District boundaries. Mr. Kuchenbecker added this map is updated when an annexation or zoning change occurs. He noted with proper insertion this map could be used to reference the City's boundaries under *17.68.010 Historic overlay zone*.

Chair Floyd noted under *17.68.040 Rules of Procedure* there was a need for clarification as to whether or not there enough for a quorum to hold a vote in the event a Commissioner needs to be recused, has a Conflict of Interest or abstain from voting. She questioned if a simple majority is suffice to pass a vote or if there need for a four person quorum.

Ms. Williams stated off hand she didn't have an answer.

Chair Floyd asked if the Commission would need to refer to Roberts Rules of Order.

Ms. Williams informed the Commission Roberts Rules of Order had different scenarios they would need to refer to.

Mr. Blair stated Roberts Rules of Order usually defines a majority of either the serving body or elected body.

Ms. Williams advised the Historic Preservation Commission By Laws be reviewed for how it reads.

Mr. Kuchenbecker stated his understanding was a seven members Commission and any action taken must had four members for a motion to pass; this would mean if there were four members in attendance, a motion would need all four to pass. He noted with the five Commissioners in attendance at tonight's meeting, a motion would not pass with a 3-2 vote.

Chair Floyd asked if we needed to include this into the ordinance.

Ms. Williams advised adding a section under *17.68.040 Rules of Procedure* reflecting how the By-Laws read to clarify this concern.

Chair Floyd noted under the *17.68.080 Appeals* there was discussion at May 14, 2014 Commission meeting as to whether or not it was necessary or useful to have in place an Appeals Board, separate from the Circuit Court. She understood the appeal to the Circuit Court is set out in SDCL 1-19B. She asked if it were necessary for an Appeals Board beyond that.

Ms. Williams stated her understanding for the discussion was for whether or not the Commission wanted to do something different for the appeals process. She informed the Commission at one time in State law there was a process to appeal to an administrative leniency which no longer exists. Ms. Williams stated she has no preference.

Chair Floyd asked what the benefits would be to have an Appeals Board.

Ms. Williams stated it would be another method of giving individuals a chance to be heard before taking them to Circuit Court. She stated by having a direct appeal, individuals must be serious on whether or not they want to pursue an appeal verses a board of appeals.

Chair Floyd stated the concern discussed was from the community as to how to compose the Appeals Board and what extent the board's decision making powers would cover. She felt as the process is currently laid out by law; it is doing what it was intended to do.

Mr. Toews agreed the process as defined serves the purpose well.

Mr. Kuchenbecker stated it is staff's opinion to leave as is.

Chair Floyd and Mr. Toews concurred with Mr. Kuchenbecker's recommendation.

Regarding *17.68.050 Criteria for issuance of certificates of appropriateness or project approvals*, Ms. Williams expressed her concern for there to be mirrored content for the following subsections: A. General Factors; B. New Construction; C. Exterior Alteration; and D. Demolition.

Ms. Williams stated, as an attorney, she felt the wording of the following sections were vague and needed defining.

Page 5 Section D of *17.68.050 Criteria for issuance of certificates of appropriateness or project approvals*.

4. Whether or not the resource is structurally sound,...

Page 6 Section D of *17.68.050 Criteria for issuance of certificates of appropriateness or project approvals*.

5.to provide for any reasonable beneficial use of the property,...

Ms. Williams stated the last section should specify if the property maintains original use or if there is a new use, is there a requirement for minimal change for new use and at what would be the cost.

Chair Floyd asked for example.

Ms. Williams used the Sinclair as example. She stated the question is whether or not this building can be restored and rehabbed. If so, her question was "can this building be brought back for its original use as a gas station?" If after rehabbing the Sinclair, it is decided to be used for something different; her question was "what would be the cost to make it for a different use and what modification are needed to be made for that other use while keeping it historically intact?" Ms. Williams pointed out all these factors would need to be considered.

Chair Floyd asked if there needed to be specific wording within the ordinance.

Ms. Williams stated what is in the ordinance refers to the standards dealing with property owners who want to restore and have the intent to restore as historic property. She noted what she has heard, whether it be from City Commissioners, Historic Preservation Commissioners or the public, is when it is feasible for a person to take on the economic burden that is being asked of them. Ms. Williams advised defining the criteria in which the Commission should be considering on whether or not it is feasibly appropriate for the individual. She stressed there needs to be a balance; questions need to be asked such as: "What is the Historic Preservation Commission trying to gain?"; "What is the private entity trying to do?" and "Is it feasible for the entity or individual to do it?" She continued by questioning the Commission on whether or not conditions are imposed upon the applicant, making it difficult to meet the requirements, and in an essence taking property away from the applicant if requirements are not met.

Chair Floyd asked Ms. Williams whether she thought it was not adequately defined under *17.68.070 Unreasonable Economic Hardship*.

Ms. Williams stated it comes down to the factor of cost bearing.

Wednesday, October 8, 2014

Chair Floyd asked Ms. Williams whether using verbiage from *17.68.070 Unreasonable Economic Hardship* would help in defining criteria under *17.68.050 Criteria for issuance of certificates of appropriateness or project approvals*.

Ms. Williams stated it would be specific to the project and by defining situation under restoration, rehabilitation or a new construction.

Chair Floyd expressed her desire for the Commission to be encouraging toward individuals and entities to restore and take care of historic resources at every possible opportunity; however she cautioned of having something within the ordinance that is worded in such a way giving someone a way out when they are either doing thing or not doing thing with the best of intentions for the historic resource.

Ms. Williams stated she felt the ordinance does stress properly maintaining, repairing or preserving a historic resource. She noted the only item not specified is the economic feasibility of doing so.

Mr. Toews agreed with Ms. Williams. He stated he would like to see the proposed wording prior to making a decision on the ordinance.

Chair Floyd agreed the ordinance should be reviewed again at the next meeting with proposed wording for the following sections: *17.68.070 Unreasonable Economic Hardship* and *17.68.050 Criteria for issuance of certificates of appropriateness or project approvals*.

Ms. Williams expressed concern for the Commission not to exceed the scope of their authority under *17.68.120 Enforcement and Penalties* and advised proposing wording to reflect as such in subsections 2, 3 and 4 with it subject to statutory limitations.

Chair Floyd expressed appreciation for the close attention and the input from staff, Ms. Williams and members of the Commission. She asked for a copy of Ordinance with the discussed additions and changes to be provided for review to help make a recommendation to the City Commission at the next Historic Preservation Commission meeting.

PA – Case #14057 – 2 Fremont St – Demolition – Jeff Snedeker

Mr. Kuchenbecker informed the Commission the applicant came into his office today and requests permission to continue review of his demolition request at 2 Fremont Street. Mr. Kuchenbecker noted he offered assistance to Mr. Snedeker in finding contractors to provide applicant with cost estimates for rehabilitating the structure. (The application is attached hereto on Exhibit D and incorporated herein by this reference.) ***It was moved by Mr. Blair and seconded by Mr. Johnson, to continue review of Case#14057, 2 Fremont Street until next Historic Preservation Commission's meeting scheduled for October 22, 2014. Aye - All. Motion carried.***

GRAPE Recommendation – St. John's Episcopal Church

Due to his affiliation with St. John's Episcopal Church, Mr. Johnson recused himself.

On September 23, 2014, the Deadwood Historic Preservation Commission's Grants Recognition Advocacy & Public Education (G.R.A.P.E.) Committee met and recommends to the Deadwood Historic Preservation Commission to approve the St. John's Episcopal Church applications for the 2014 Not-for-Profit Grant program.

Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to approve a Not-for-Profit Grant request from the historic St. John's Episcopal Church for funding to help offset costs to fully restore their historic 1904 Steere pipe organ in the amount of \$56,683.00. He explained St. John's Episcopal Church was granted \$24,978.35 on September 24, 2010 for Phase II of their church restoration project; the grant was closed out on February 23, 2012. Mr. Kuchenbecker stated a change was approved and effective July 24, 2011 to the Not-For-Profit guidelines limiting an amount up to \$50,000 within a five year period. However he noted the change was made following the approval of St. John's Episcopal Church's 2010 grant therefore the church is eligible for up to \$50,000.00.

Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to approval a Not-for-Profit Grant request from the St. John's Episcopal Church for funding the project up to the amount of \$50,000 as allowable under the current guidelines of the grant program. (The G.R.A.P.E. recommendation is attached hereto on Exhibit E and incorporated herein by this reference.) ***It was moved by Mr. Toews and seconded by Mr. Blair to recommend to the City Commission to approve St. John's Episcopal Church application for the 2014 Not-For-Profit Grant Program with option to choose the amount up to \$50,000 within five year period as presented. Aye – All. Motion carried.***

Mr. Johnson rejoined the meeting.

New Matters before the Deadwood Historic District Commission:

CoA – Case # 14063 – Across from 555 Main St – Alter foundation/Retaining Wall – Donnie Patton

Mr. Kuchenbecker informed the Commission the applicant requests approval to remove, clean up, and enhance the existing retaining wall/foundation for beautification purposes across from 555 Main Street as submitted. (The application is attached hereto on Exhibit F and incorporated herein by this reference.) ***Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Toews and seconded by Chair Floyd this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for across from 555 Main Street.***

New Matters before the Deadwood Historic Preservation Commission:

Case # 14064 – 19 Centennial Ave – Siding – Greg Vecchi

Mr. Kuchenbecker informed the Commission since the previous Project Approval expired, the applicant requests permission to repair wood siding and replace wood siding with matching where necessary at 19 Centennial Ave as submitted. (The application is attached hereto on Exhibit G and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Blair and seconded by Mr. Johnson that 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 19 Centennial Ave. Aye - All. Motion carried.***

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Revolving Loan Program/Disbursements

It was moved by Mr. Namminga and seconded by Mr. Blair to approve the HP Revolving Loan Fund disbursement in the amount of \$677.00, based on information as presented by Ms. McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried. Delinquency report was reviewed by Commission. Overview of the Revolving Loan Fund was presented.

Pete Kirchhevel – 316 Williams

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the refinance of the HP Life Safety Loan for Pete Kirchhevel, 316 Williams, in the amount of \$13,318.64 with interest rate increasing to 5%, based on information as presented by Mr. Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

It was moved by Mr. Toews and seconded by Mr. Johnson to approve extending the maturity date to October 1, 2019 due to change in owner occupancy status for the HP Retaining Wall Loan for Pete Kirchhevel, 316 Williams, in the amount of \$52,875.41, based on information as presented by Mr. Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

John Hopkins – 308 Williams

It was moved by Mr. Blair and seconded by Mr. Johnson to approve calling due and payable the HP Retaining Wall Loan for John Hopkins, 308 Williams, in the amount of \$80,839.70 based on information as presented by Mr. Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

Estate of Mary Ellen Casey – 61 Forest

It was moved by Mr. Blair and seconded by Mr. Toews to approve calling due and payable the HP Grant Loan for the Estate of Mary Ellen Casey, 61 Forest, in the amount of \$4,767.92, based on information as presented by Mr. Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

It was moved by Mr. Johnson and seconded by Mr. Toews to approve calling due and payable the HP Grant Loan for the Estate of Mary Ellen Casey, 61 Forest, in the amount of \$10,000.00, based on information as presented by Mr. Walker, Executive Lending Officer of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

It was moved by Mr. Blair and seconded by Mr. Johnson to approve calling due and payable the HP Grant Loan for the Pineview Group LLC, 19 Lee Street, in the amount of \$250,000.00, based on information as presented by Ms. McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

Retaining Wall Program/Disbursements:

No applications were addressed at this meeting.

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:

- Fence project is finally underway at the Deadwood Rodeo Grounds;
- City Department Heads and Mayor headed to Pierre on September 25 to advocate in keeping the DOT/Highway 85 Reconstruction Project moving forward; Both the Mayor and the Public Works Director did a great job as they witnessed history in the making with the DOT Commission voting three times: First vote was 4-4 to Reject bids; Second vote was 4-4 to Accept bids; and Third vote was 5-3 to Accept bid and to move forward with project;
- Retaining Walls at 2 Dudley is moving forward;
- Retaining Walls at 91 Forest is nearing completion with two masons working on it;
- The First Lady's Gown Collection Open House and Re-dedication is scheduled for November 1 at the State Capital in Pierre on; Invitation will be emailed out and, if you wish to attend, please let our office know;
- Gold Dust has Open House and Ribbon Cutting scheduled for tomorrow, Thursday October 9 at 4:30 PM;
- Blake Haverberg has a sidewalk skylight which uses glass blocks that are placed into cast iron grates; the Mind Blown Glass Studio was given the mold and are now making the glass blocks to fit into the grates;
- Minimum Maintenance/Demolition by Neglect met on October 7 to review process;
- Engine House will be using a Standing Seam Roof from Bridger Steel to replace the rolled roof that blew off;

Other Business:

- Mr. Toews, Chair for the Minimum Maintenance/Demolition by Neglect Committee, updated the Commission on the meeting to discuss the process; he noted the documents created and procedures reviewed to help define process;
- Chair Floyd read a Thank You letter from Mark Speirs for the Outside of Deadwood funds granted to Tomahawk Country Club Golf Course;
- Chair Floyd informed the Commission and public the application for the Historic Preservation Commission opening is available online; deadline to submit your application is October 22.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting of October 8, 2014 adjourned at 6:28 PM.

ATTEST:

Laura Floyd
Chairman, Historic Preservation Commission
Kate Storhaug, Historic Preservation Office/ Recording Secretary

MEMORANDUM

Date: October 22, 2014
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Historic Preservation Commission
Re: 2014 Wall of Fame Inductees

Let us celebrate the following individuals as they are inducted into the 2014 Wall of Fame:

- Willis Carlton Spindler 1869-1947
- Lars Peter Shostrom 1864-1941

DEADWOOD

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

Mike Runge
Archivist
Telephone (605) 578-2082

MEMORANDUM

Date: October 16, 2014
To: Deadwood Historic Preservation Commission
From: Mike Runge, City Archivist
Re: **Donations #2014.12, 2014.13, 2014.14 and 2014.15**

The City of Deadwood – Archives is requesting permission to formally accept the following items into the City's permanent collection. These donations falls within the City Archives Mission Statement and were approved by the Archaeology, Archives, and Acquisitions (AAA) Committee at the October 15, 2014 meeting.

- **Donation 2014.12** Richard Popp of Chillicothe, Illinois donated twenty-three (23) black and white prints from the 1960s focusing on Lead/Deadwood City Circle Tour, which was part of the Old West Trail system.
- **Donation 2014.13** Don Toms of Lead, South Dakota donated a copy of the Homestake Veterans Association yearbook. This book contains names and photographs of Homestake employees who worked for HMC for over 20 years.
- **Donation 2014.14** Robert Kolbe of Sioux Falls, South Dakota donated an 8 x 10 inch cabinet card of the Presidential Neighborhood in Deadwood, circa 1902.
- **Donation 2014.15** Mrs. Kathleen Hensley of Spokane, Washington donated a Revere Eight Model 88 camera and leather carrying case. This camera was owned and used by her grandfather William McGuigan of Spearfish, South Dakota. The camera and case will be incorporated with Collection 2012.10, the William McGuigan collection.

RECOMMENDATION

Formally accept the abovementioned donations into the City's permanent collection as recommended by the AAA Committee on October 15, 2014.

DEADWOOD

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Fax (605) 578-2084

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

Mike Runge
Archivist
Telephone (605) 578-2082

MEMORANDUM

Date: October 16, 2014
To: Deadwood Historic Preservation Commission
From: Mike Runge, City Archivist
Re: **Headstone Grant Applications: #14005 Gertrude Marnette Oldt
and #14006 Dr. Flora Hayward Stanford**

On October 14, 2014 the Cemetery Committee, a subcommittee of the Deadwood Historic Preservation Commission met and reviewed the below listed headstone grant applications:

- **#14006 Dr. Flora Hayward Stanford. DOD 02/02/1901, Mt. Moriah Cemetery**

After reviewing the application, the Cemetery Committee moved to approve application #14006 for the 2014 Headstone Grant Program.

On October 15, 2014, the City Archivist discovered a second application that was submitted to the Historic Preservation Office in September. This application was for Gertrude Marnette Oldt. The City Archivist sent an email with the attached application to the members of the Cemetery Committee for review. Based on their email recommendations, it was decided to add Gertrude Marnette Oldt into the program.

The proposed grant nominees shall read:

- **#14005 Gertrude Marnette Oldt. DOD 08/28/1914, Mt. Moriah Cemetery**
- **#14006 Dr. Flora Hayward Stanford. DOD 02/02/1901, Mt. Moriah Cemetery**

RECOMMENDATION

Accept applications #14005 and #14006 into the 2014 HPC Headstone Grant Program as approved by the Cemetery Committee on October 14 and October 16, 2014.

Project Number: 14005
Application Date: 9/05/2014



CEMETERY HEADSTONE GRANT APPLICATION

CITY OF DEADWOOD

108 Sherman Street

Deadwood, SD 57732

Tel: (605) 578-2082

Fax: (605) 578-2084

APPLICANT INFORMATION:

Name:	<u>RONALD OSBORN</u>
Address:	<u>1814 MORNING PARK DR.</u>
City/State/Zip:	<u>KATY, TX 77494</u>
Phone Number:	<u>281-395-5423, 713-410-9856</u>
Email Address:	<u>OZZIE@CONSOLIDATED.NET</u>

BACKGROUND INFORMATION:

Deceased Name(s):	<u>GERTRUDE MARNETTE OLDT</u>		
Date of Death:	<u>AUGUST 28, 1914</u>		
Cemetery:	<u>MT. MORIAH</u>		
Individual or Family Plot:	<u>MARNETTE FAMILY</u>		
Addition:	Section:	Lot:	Plot:
	<u>011</u>	<u>2</u>	<u>NE 4</u>

Project Number: _____
Application Date: _____

**CITY OF DEADWOOD
CEMETERY HEADSTONE GRANT APPLICATION**

1. Personal Information:

Nominee Name: GERTRUDE MARNETTE OLDT
Nickname(s): GERTIE
Maiden Name (if applicable): GERTRUDE MARNETTE
Date and Place of Birth: MARCH, 1888 SOUTH DAKOTA
Date of Death: AUGUST 28, 1914 BILLINGS, MONTANA

2. Family Information:

Mother's Name: SARAH J. ENDERBY
Date and Place of Birth: ABT. 1862 IOWA
Father's Name: JOSEPH P. MARNETTE
Date and Place of Birth: ABT. 1859. CHICAGO, ILLINOIS
Siblings: OLIVE, SADIE, JOSEPH JR.
Spouses Name: RAYMOND W. OLDT
Marriage Date: APRIL 10, 1910 Living or Deceased: DECEASED
Children (Please list ALL Children): NONE BORN ALIVE

3. Education/Major Employment:

Level: UNK Name of School/Location: _____
Year Graduated: _____ Degree: _____
Dates: _____ Name/Location of Employer: _____
Brief Description of Duties: _____

Project Number: _____
Application Date: _____

OVERVIEW OF PROGRAM:

Since 2006 the Deadwood Historic Preservation Commission has allocated funds for the installation of cemetery markers on unmarked graves within the historic city owned cemeteries of Deadwood. The purpose of this program is to assemble genealogical information on individual(s) and family(s) interred at Mt. Moriah Cemetery and St. Ambrose Catholic Cemetery. Applicants are required to furnish information which can be scanned in and placed on the City's IMS (Internet Mapping Server) program located at www.deadwoodims.com or the City of Deadwood's webpage www.cityofdeadwood.com

STIPULATIONS OF THE HEADSTONE GRANT PROGRAM

The program is designed for one name per cemetery monument. For any additional names, separate applications will need to be filled out and submitted separately to the Historic Preservation Office. Due to cost and significant amount of unmarked graves in the historic Deadwood cemeteries, burials which pre-date the year 1950 are eligible for the program. Nominations which post-date the year 1950 may be eligible under the review and recommendations of the Cemetery Committee.

APPLICATION REQUIREMENTS:

Individuals who would like to participate in the Cemetery Headstone Grant Program are required to fill out the Cemetery Headstone application and submit supporting documentation on the nominee in the form of:

1. Birth certificate and/or birth announcement, or relevant document
2. Death certificate and/or obituary or relevant document
3. Copies of census records pertaining to the nominee for the years 1870 to 1930
4. Copies of family history pertaining to the deceased
5. Family tree
6. Copies of photographs showing the nominee and/or family
7. Other relevant documents which will aide in the interpretation of the nominee

All submitted applications will be reviewed by the Cemetery Committee, a subcommittee of the Deadwood Historic Preservation Commission. Depending on the completeness of the application, placement of the monument will take two to six months from submission of the application. Successful applicants will receive a formal letter from the Deadwood Historic Preservation Office indicating the admission into the program.

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Successful applications will be awarded one 16 inch tall by 16 inch wide wedge shaped headstone (See figure #1 for size). The inscription on the face of the monument will be limited to the following information:

- Deceased name (first name, middle initial, last name)
- Birth year (four digit)
- Death year (four digit)

The vital information of the nominee will be a sunken letter laid out in Roman Type font (see figure #2 for font size and layout). Any additions or modifications to the aforementioned layout will be at the applicant's expense and may delay the progress of the grant.

1. PLACE OF DEATH.

County of

Township

or

Village

or

City

FOR INFORMATIONAL PURPOSES ONLY

STATE OF MONTANA

Bureau of Vital Statistics

Certificate of Death

File No.

Registered No.

(If death occurred in a Hospital or Institution, give its NAME instead of street and number).

2. FULL NAME

PERSONAL AND STATISTICAL PARTICULARS

MEDICAL CERTIFICATE OF DEATH

3. SEX

4. COLOR

5. Single
Married
Widowed
or Divorced
(Write the word)

6. DATE OF BIRTH

7. AGE

IF LESS than

1 day...hrs.

or...min.

8. OCCUPATION

(a) Trade, profession, or

particular kind of work

(b) General nature of industry,

business, or establishment in

which employed (or employer)

9. BIRTHPLACE

(State or Country)

10. NAME OF FATHER

11. BIRTHPLACE

OF FATHER

(State or Country)

12. MAIDEN NAME

OF MOTHER

13. BIRTHPLACE

OF MOTHER

(State or Country)

14. The Above is True to the Best of My Knowledge

Informant

Address

15. Filed

1914

E. G. Balsam
Registrar

16. DATE OF DEATH

Month Day Year

17. I HEREBY CERTIFY, That I attended deceased from

191... to 191...

that I last saw h... alive on 191...

and that death occurred on the date stated above, at 4:20 P.

M. The cause of death* was as follows:

Gun shot wounds

Homicidal

(duration) yrs...mos...ds.

Contributory

(Secondary)

(duration) yrs...mos...ds.

(Signed) M. H. H. Smith M. D.

Aug. 31 1914 Address Ballinger

*State the Disease Causing Death, or in deaths from

Violent Causes, state (1) Means of Injury; and (2)

whether Accidental, Suicidal or Homicidal.

18. LENGTH OF RESIDENCE (for Hospitals, Institutions,

Transients or Recent Residents).

At place In the

of death...yrs...mos...ds. State...yrs...mos...ds.

Where was disease contracted,

if not at place of death?

Former or

Usual Residence

19. Place of Burial or Removal

Date of Burial

20. UNDERTAKER

ADDRESS

ancestry.com 1900 United States Federal Census for Gertrude Marnette



South Dakota > Lawrence > Deadwood > District 0026

Related Content

Tools

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 State South Dakota
 County Lawrence

SCHEDULE No. 1.—POPULATION.

 Supervisor's District No. 1 Sheet No. 16
 Enumeration District No. 26

 Township or other division of county Township 5 North Range 3 East B34 Name of Institution, X

 Name of incorporated city, town, or village, within the above-named division, Deadwood City Ward of city, 4

 Enumerated by me on the 13th day of June, 1900, Donald Bell Pearson, Enumerator.

94

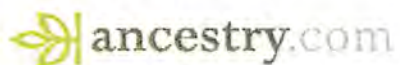
LOCATION.		NAME	RELATION	PERSONAL DESCRIPTION.								NATIVITY.			CITIZENSHIP.	OCCUPATION, TRADE, OR PROFESSION		EDUCATION.				OTHER OF HOME.					
IN CITIES.	IN RURAL DISTRICTS.			Color or race.	Sex.	DATE OF BIRTH.		Age at last birthday.	Whether married, single, widowed, or divorced.	Number of years married.	Number of children under 18 years of age.	Place of birth of this person.	Place of birth of father of this person.	Place of birth of mother of this person.		of each person TEN YEARS of age and over.	Whether a native-born citizen.	Whether a foreign-born citizen.	Whether a native-born citizen.	Whether a foreign-born citizen.	Whether a native-born citizen.	Whether a foreign-born citizen.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
Person 1	30-378	Wm. J. Marnette	Head	W	M	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		Anna Marnette	Wife	W	F	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
Person 2	30-379	Wm. J. Marnette	Head	W	M	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		Anna Marnette	Wife	W	F	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
Person 3	30-380	Wm. J. Marnette	Head	W	M	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		Anna Marnette	Wife	W	F	1872	28	28				Wisconsin	Wisconsin	Wisconsin		Farmer											
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													
		John Marnette	Son	W	M	1894	6	6				Wisconsin	Wisconsin	Wisconsin													

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Osborn Family Tree

Joseph P Marnette
B: abt 1859 Chicago, Illinois, USA
M: 1888
D: 4 September 1942 Lawrence, South Dakota

GERTRUDE MARNETTE
B: Mar 1888 South Dakota
M: 1 Apr 1910 Lawrence, South Dakota
D: 28 Aug 1914 Montana, USA

Sarah Jane Enderby
B: abt 1862 Iowa
M: 1888
D: 19 Jan 1946 Lawrence, South Dakota

1 of 1

Joseph P Marnette Family

The 1900 census indicates he was born in France, he may have been born in French part of Germany, but his obituary indicates he was born in Chicago, Illinois.

He was married at Fort Pierre in Aug of 1885 to Sarah Enderby. They came to the Black Hills in 1888 settling first in Rapid City and moved soon after to Deadwood where they remained throughout their lives. He was twice the chief of the Deadwood Fire Department and was active in civic affairs.

In 1900 the family was in Deadwood. Joseph was 43, Sarah 40, Olive or Ollie 19, born October 1880 in Iowa, Gertrude 12, born March 1888 in South Dakota, Sadie 8, born June 1891 in South Dakota, and Joseph Jr. born August 1899.



Dakota farmers' leader., September 11, 1914, Image 3

About [Dakota farmers' leader. \(Canton, S.D.\) 1890-19??](#)

Image provided by: Minnesota Historical Society; Saint Paul, MN

Image: of 8. [Page](#) [All Pages](#) [Issues](#) [All Issues](#) [Text](#) [PDF](#) [JP2 \(5.4 MB\)](#)

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to await a favorable turn to the horse market, which he declares is at present too low to justify him in disposing of his holdings.

Ray W. Oldts, who shot and killed his young wife in Billings, Mont., and then killed himself, because she had sued him for divorce, and his wife were both from Deadwood. His wife was Gertie Marnette, born and raised there, and the couple were married there a few years ago and had been in Billings only a little over a year. Mrs. Oldt's father and brothers and sisters live at Deadwood and the body was brought there for burial.

A serious hemorrhage following an operation for the removal of adenoids resulted in the death of Ethel Jones, a popular Parker girl, 14 years of age. In conformity with a new school system, recommendation had been made that a number of pupils be subjected to operations for the removal of tonsils and adenoids. A Sioux Falls surgeon was called in to conduct the op.

Dakota farmers' leader. (Canton, S.D.), 11 Sept. 1914. Chronicling America: Historic American Newspapers. Lib. of Congress.
<http://chroniclingamerica.loc.gov/lccn/sn00065127/1914-09-11/ed-1/seq-3/>



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[The Library of Congress](#) > [Chronicling America](#) > [The Daily Missoulian](#) > [August 29, 1914, Morning](#) > [Image 1](#)



CHRONICLING AMERICA
Historic American Newspapers

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The Daily Missoulian., August 29, 1914, Morning, Image 1

About [The Daily Missoulian](#), (Missoula, Mont.) 1904-1961

Image provided by: Montana Historical Society; Helena, MT

Image: of 8. Page

ELPS.

fete held
Breakers,
lius Van-
Internat-
n, is ex-
y society

up the reinforcements.

In Galacia, the advices say, the Rus-
sian advance continued and an Aus-
trian regiment had been decimated.

Malines Bombarded.

The Germans continued to bombard
Malines today, destroying or damage-
ing most of the monuments, according
to a dispatch from Ostend. They have
not entered the town, however. Forts
Walhem and Wavre did not cease to
reply.

**ER
RD**

**WAITER KILLS WIFE
COMMITTS SUICIDE**

Billings, Aug. 28. —R. W. **Dide** a
waiter, this afternoon walked into the
cigar store in a downtown block where
his wife was employed as clerk, and
fired four bullets into her body, kill-
ing her almost instantly, then fired
another shot into his own head and
fell dead at her feet. She had re-
cently brought suit for a divorce and
rejected his pleas for reconciliation.
His mother and sister live at 2666
Lincoln avenue, Chicago.

**CAN
TO**

Ottawa, Ont.
Patricia light
brigade of the
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board the tro

The Daily Missoulian. (Missoula, Mont.), 29 Aug. 1914. Chronicling America: Historic American Newspapers. Lib. of Congress.
<<http://chroniclingamerica.loc.gov/lccn/sn83025316/1914-08-29/ed-1/seq-1/>>

Project Number: 140056
Application Date: 10/14/2014



CEMETERY HEADSTONE GRANT APPLICATION

CITY OF DEADWOOD

108 Sherman Street

Deadwood, SD 57732

Tel: (605) 578-2082

Fax: (605) 578-2084

APPLICANT INFORMATION:

Name:	<u>DONALD STANFORD ROULSTON</u>
Address:	<u>6 JEFFREY ROAD</u>
City/State/Zip:	<u>READING, PA 19601</u>
Phone Number:	<u>610-374-2928 OR ²¹⁵ 215-260-9630 (cell)</u>
Email Address:	<u>CRLSTN@VERIZON.NET</u>

BACKGROUND INFORMATION:

Deceased Name(s):	<u>DR. FLORA HAYWARD STANFORD</u>		
Date of Death:	<u>FEBRUARY 2, 1901</u>		
Cemetery:	<u>MT MORIAH</u>		
Individual or Family Plot:	<u>INDIVIDUAL</u>		
Addition:	Section: <u>5</u>	Lot: <u> </u>	Plot: <u>2</u>

Project Number: _____
Application Date: _____

**CITY OF DEADWOOD
CEMETERY HEADSTONE GRANT APPLICATION**

1. Personal Information:

Nominee Name: FLORA HAYWARD STANFORD
Nickname(s): _____
Maiden Name (if applicable): HAYWARD
Date and Place of Birth: 12/6/ 1838 - NEWFOUNDLAND (CANADA)
Date of Death: 2/2/1901 - DEADWOOD, SD

2. Family Information:

Mother's Name: EMMA FLORENCE
Date and Place of Birth: ~~1838 - NEWFOUNDLAND~~ UNKNOWN
Father's Name: JOHN WILLS HAYWARD
Date and Place of Birth: 3/22/1802 - PORTSEA, ENGLAND
Siblings: JOHN ALFRED HAYWARD
Spouses Name: VALENTINE STANFORD
Marriage Date: 4/30/1863 Living or Deceased: DECEASED
Children (Please list ALL Children): ^① VICTOR HAYWARD DOB = 3/18/1866 ;
^② EMMA ELIZABETH DOB = 7/25/1870
^③ FRANK DALEY - STANFORD (ADOPTED)

3. Education/Major Employment:

Level: COLLEGE Name of School/Location: BOSTON UNIVERSITY SCHOOL OF MEDICINE
Year Graduated: MARCH 6, 1878 Degree: MEDICAL
Dates: 1878-1901 Name/Location of Employer: SELF EMPLOYED DOCTOR
Brief Description of Duties: FIRST WOMEN DOCTOR IN DEADWOOD, SD; (IN 1888)
ALSO PRACTICED MEDICINE IN SUNDANCE, WY

ADDITIONAL INFORMATION ON DR. STANFORD IS AVAILABLE
IN THE DEADWOOD LIBRARY AND IN THE BOOK, "THE DOCTOR
WORE PETTICOATS"

Project Number: _____

Application Date: _____

OVERVIEW OF PROGRAM:

Since 2006 the Deadwood Historic Preservation Commission has allocated funds for the installation of cemetery markers on unmarked graves within the historic city owned cemeteries of Deadwood. The purpose of this program is to assemble genealogical information on individual(s) and family(s) interred at Mt. Moriah Cemetery and St. Ambrose Catholic Cemetery. Applicants are required to furnish information which can be scanned in and placed on the City's IMS (Internet Mapping Server) program located at www.deadwoodims.com or the City of Deadwood's webpage www.cityofdeadwood.com

STIPULATIONS OF THE HEADSTONE GRANT PROGRAM

The program is designed for one name per cemetery monument. For any additional names, separate applications will need to be filled out and submitted separately to the Historic Preservation Office. Due to cost and significant amount of unmarked graves in the historic Deadwood cemeteries, burials which pre-date the year 1950 are eligible for the program. Nominations which post-date the year 1950 may be eligible under the review and recommendations of the Cemetery Committee.

APPLICATION REQUIREMENTS:

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- Deceased name (first name, middle initial, last name)
- Birth year (four digit)
- Death year (four digit)

The vital information of the nominee will be a sunken letter laid out in Roman Type font (see figure #2 for font size and layout). Any additions or modifications to the aforementioned layout will be at the applicant's expense and may delay the progress of the grant.

BAPTISM CERTIFICATE.

PAGE 154

Baptism solemnized at Trinity in the Parish of Trinity in the Diocese of Newfoundland, in the year 1839

Alleged Date of Birth	When Baptized	Child's Christian Name	Parent's Names.		Abode	Quality, Trade or Profession	By Whom the Ceremony was performed
			Christian	Surname			
Dec 6th 1838	Sept. 24th 1839	Flora	John & Emma	Hayward	Trinity	Merchants	William Bullock

I Certify that the foregoing is a true Copy of the entry of the Baptism of Flora Hayward in the Register of Baptisms for the said

Parish of Trinity

Dated this twenty third day of December 1867

Signed Geo Stridge
Rector of Trinity Parish.

REGISTER OF WIFE.

Name *Ellen D. Stanford*
 Birthplace *Trinity, Newfoundland*
 Date of Birth *Dec. 6 1838*
 Descent *English*
 Father's Name *John W. Hayward*
 Mother's Name *Emma Florence Hayward*
 No. Br's & Sisters *Three Br's, One Sister*
 Education *Academy*
 Occupation *Teaching*
 Politics *Republican*
 Religion *Unitarian*
 Date of Marriage *April 30 1863*



AUTOGRAPH

Stature *Five Feet*
 Weight *One Hundred Sixty Seven Pounds*
 Habit *Single*
 Complexion *Blonde*
 Color of Hair *Chestnut*
 Color of Eyes *Gray*
 Health *Vigorous*
 Date of Death *Feb 2nd 1901*
 Disease
 Place of Death *Deadwood S.D.*
 Age *62 years 1 mo 16 days*
 Place of Interment *Deadwood S.D.*



DEADWOOD PUBLIC LIBRARY

(CARNEGIE FOUNDATION)

DEADWOOD, SOUTH DAKOTA

From THE DAILY PIONEER-TIMES, February 3, 1901

Close of a Useful Life

Dr. Flora H. Stanford Expires at Her
Home after Two Weeks' Illness.

Dr. Flora H. Stanford is dead. The message will take sorrow to many a heart that has known her gentle ministrations, for her life in Deadwood has been devoted largely to an endeavor to lessen the burdens of others. Where there was sickness or pain or misery, she went to lend her sympathy and her services if need be. Was there a poor son groping under a load of despair, no matter how wretched his condition, she sought him out to let in the sunlight of human kindness, and if possible, to make brighter the path of existence.

Dr. Stanford died at her home on Williams street yesterday morning shortly before six o'clock, of heart failure. She had suffered with the malady for two or three weeks, and it was realized almost from the start that there was no aid for her. She gradually became weaker, and her death had been momentarily expected for several days. Her funeral will probably be deferred until the arrival of a son from Virginia, who is expected to reach Deadwood next Wednesday. A telegram was sent to another son who was supposed to be in Kansas City, but he has not been heard from, and it is feared that the telegram did not reach him. The deceased had no other immediate relatives.

It is twelve years since Dr. Stanford took up her residence in Deadwood and began the practice of a physician. Notwithstanding that she has busied herself with her profession and domestic life, yet she has taken a lively interest in public affairs, has been prominent in the work of the churches and societies, and her name has been associated in one way or another with almost every laudable enterprise in the city where her assistance was welcome. She was for a number of years a member of the board of education of Deadwood, and in that capacity she rendered valuable ~~assistance~~ service. She was a good business woman and her suggestions and advice were always consulted on matters of importance.

Of late years she has spent a portion of her time in at Sundance, Wyoming, where she followed her profession, and she returned to Deadwood only a few months ago after a protracted stay at Sundance. There she was known, as she was in Deadwood, for the good deeds she rendered, and there, as in Deadwood, there will be genuine sorrow at the word of her death. Altho she has been in feeble health for several years, she always tried to perform her professional duties punctually, and her generous nature has time and again prompted her to leave her room in the darkest hours of night to trudge wearily to the side of some forlorn creature, from whom she knew there was no probability of her ever receiving a dollar's remuneration. She called it a duty, and she performed it well.

She was 65 years of age, a member of the Woman's Relief Corps and the Daughters of Rebekah.

DEADWOOD PUBLIC LIBRARY.
Carnegie Foundation.
DEADWOOD, SOUTH DAKOTA.

From THE DAILY PIONEER-TIMES, WEDNESDAY, February 6th, 1901.

DR. STANFORD'S FUNERAL.

To be held from the residence on Williams Street this afternoon.

The last earthly rites will be performed over the remains of the late Dr. Flora H. Stanford this afternoon at 2 o'clock, at the home on Williams Street. A son, Victor Hayward Stanford, arrived last night on the Burlington train from Sistersville, Tyler County, West Virginia, in answer to a telegram telling of his mother's death.

Dr. Stanford was a member of the Woman's Relief Corps, and of the Daughters of the Rebekah, and the funeral will be held under the auspices of these societies. The Deadwood Board of Education, of which she was a member at the time of her death, will attend the funeral in a body. Had it been known beyond a peradventure, that the son would be here, a definite announcement of the funeral could have been made sooner, but owing to the great distance that the son had to travel, it was uncertain as to when he would arrive. C. H. Robinson, the undertaker, has charge of the remains.

No word has been received from the son residing in Kansas City, and it is believed that the telegram sent him went astray,

From THE DAILY PIONEER-TIMES, THURSDAY, February 7th, 1901.

DR. STANFORD'S FUNERAL.

Attended by the Rebekahs and members of the Woman's Relief Corps.

The earth closed over the mortal remains of Dr. Flora H. Stanford yesterday, and the frame that had toiled so unremittingly for years to earn its own sustenance, and to add to the welfare and happiness of others, was left in its final resting place.

The only funeral service was at the grave, where the burial rites of the Protestant Episcopal church were performed by Archdeacon George G. Ware, rector of St. John's Episcopal church of this city. The remains started for Mount Moriah cemetery from the residence on Williams Street escorted by members of the Daughters of the Rebekah and the Woman's Relief Corps. The pall bearers were O. W. Matson, John Wringrose, John R. Russell, J. Goldberg, George Benner and W. H. Ward. There were a great many floral offerings, some of them exquisite in design, and the casket was placed in the hearse, it was obscured from view by the beautiful tributes. In a carriage following the funeral car was the only son of the deceased, Victor H. Stanford of Sistersville, West Virginia, who arrived in the city Thursday night.

Tenderly the last offices were performed, and the form of her who had been mother, friend and medical adviser to numbers of struggling and benighted souls was lowered into its narrow home amid a flood of silent tears. It had been the expressed desire of Dr. Stanford that no funeral service be held over her, and her wish was carried out to the letter. Only the burial words of the church into which she had been baptized when a child were spoken at her grave.

She was born off the coast of New Foundland, something over 60 years ago. Her father was a seafaring man, and was for years a ship captain. While Flora was a child her parents removed to Liverpool, England, and resided there for a number of years. During that time her father had died at sea, and the mother and daughter returned to America and settled at Buffalo, New York, remaining there until the daughter had attained a maturity and completed her education. She became a teacher in the Normal school at Buffalo, and held that position at the time of her marriage. Her mother did not like the climate at Buffalo, however, and the next move was to Washington, D. C., where the mother died 14 years ago. Ten years ago Dr. Stanford moved from Washington to Deadwood, and made this country her home until her death. She had been the mother of two children, Victor Hayward and Emma. The latter's death occurred in California six or seven years ago. Before the birth of her eldest son she had adopted a son, Frank Daly, who was given the name of Frank-Daly-Stanford, which name he still bears.

In her will Dr. Stanford left her Deadwood property to the children of her son, and the property she had near Sundance, Wyoming, was left to her own son, Victor H. Stanford, and her adopted son, Frank Daly-Stanford, jointly. The former was named executor of the estate, and will remain in Deadwood for several weeks, settling it up. He said yesterday that he had not heard from his adopted brother directly, for some time, but his children corrrsspong with their cousins by adoption, and it is not over two months since they had heard from them, so it is thought that they were still in Kansas City. Frank Daly-Stanford has been in poor health for some time, and it is thought that this prevented his attending the funeral.

Hayward Genealogy.

Capt. Hayward
Postmaster Pool. England.

Capt John Wills Hayward.
Born at Portsea England March 22nd 1802.
Married to Emma Florence August 25th 1831.
Died at Sandusky Ohio July 27th 1849

George James, Died without issue	Emma Florence, Died without issue	John Alfred Hayward, Born at St Johns Newfoundland July 30, 1835	Henry Olive, Died without issue	Flora, Died -	Alfred H.
-------------------------------------	--------------------------------------	--	------------------------------------	------------------	-----------

Married to Mary Ann Ferris
May 3rd 1863

Married to Valentine Stanford

Private. Co B. 21st N.Y. Vols.
Clerk in Postoffice Department
Attorney at Law. and Notary Public.

Mary Ferris
Married to Miles K. Crenshaw.

Emma Florence

Mabel. Phelps.

This paper found in personal effects of
Dr. Emma Hayward Stanford, of Deadwood, South
Dakota, by her son Victor Hayward Stanford
and preserved for family history.

She was fifth child of John Wills Hayward
and shown on above sheet as Flora, and married
to Valentine Stanford.

FLORA HAYWARD STANFORD, M. D.
1838---1901.
PIONEER PHYSICIAN.
of

SUNDANCE, WYOMING,

and

DEADWOOD, SOUTH DAKOTA.

THIS MEMORIAL HISTORY IS PRESENTED
TO THE DEADWOOD PUBLIC LIBRARY, IN
THE CITY OF DEADWOOD, BY HER
DESCENDANTS.
1968.

FROM HER GRANDCHILDREN.

Dr. and Mrs. Ross H. Stover,
(Emma C. Stanford.)

Wyncote, Pa.

Mr. and Mrs. Albert S. Hidy, Sr.
(Annabel Stanford.)

Portland, Oregon.

Mr. and Mrs. Victor H. Stanford.

Collingswood, N. J.

Mrs. John B. Roulston.
(Mildred Stanford.)

New Hope, Pa.

FROM HER GREAT GRANDCHILDREN.

Dr. and Mrs. John Deininger.
(Martha Stover.)

Wyncote, Pa.

Mr. and Mrs. Vernon Stanford Hidy.

Boise, Idaho.

Rev. and Mrs. Ross Frederick Hidy.

San Francisco, Calif.

Rev. and Mrs. Albert Stanley Hidy, Jr.

Honolulu, Hawaii.

Mr. and Mrs. Miles Truesdell,

Trenton, N. J.

Mr. Donald Roulston.

New Hope, Pa.



Victor's mother.

FLORA HAYWARD STANFORD, M. D.

PIONEER PHYSICIAN.

DEADWOOD, SOUTH DAKOTA.

*Residence of Dr. Clara H. Langford
William St. Deadwood, S.D.*



Rounds, Locke & McBride,

LEAD CITY & DEADWOOD,
S. DAKOTA.



BOSTON UNIVERSITY MEDICAL CENTER



BOSTON UNIVERSITY SCHOOL OF MEDICINE

80 EAST CONCORD STREET, BOSTON, MASSACHUSETTS 02118

October 24, 1967

Mr. Albert S. Hidy, Sr.
709 S.W. Sixteenth Avenue
Portland Oregon 97205

Dear Mr. Hidy:

Re: Dr. Flora Hayward Stanford

Your note of October 21 has come to my office for attention.

I have checked our records and find that she was -

Born - Trinity, Newfoundland on December 6, 1838

Came to Boston from Corry, Erie County, Pennsylvania

was educated at the Buffalo High School

entered Medical School October 4, 1875

received M.D. degree 1878.

That is all we have on her.

Sincerely yours,

Edith F. Chadwick

Edith F. Chadwick
Recorder

EFC:fay

South Dakota State Medical Association

711 NORTH LAKE AVENUE
SIOUX FALLS, SOUTH DAKOTA 57104

TELEPHONE 336-1965

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EXECUTIVE SECRETARY



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October 18, 1967

Mr. Albert S. Hidy, Sr.
709 S. W. Sixteenth Avenue
Portland, Oregon

Dear Mr. Hidy:

Your letter addressed to the South Dakota Medical Society, Pierre, South Dakota has been referred to this office for reply.

I have checked the records of the old South Dakota Board of Health and find that Flora Hayward Stanford, M.D., was licensed in South Dakota on November 13, 1893. She was issued certificate #962. Our records show that she graduated March 6, 1878 from the Boston University School of Medicine, Boston, Massachusetts.

I hope this information will be of assistance to you.

Very sincerely yours,

Richard C. Erickson
Richard C. Erickson
Executive Secretary

RCE:ja

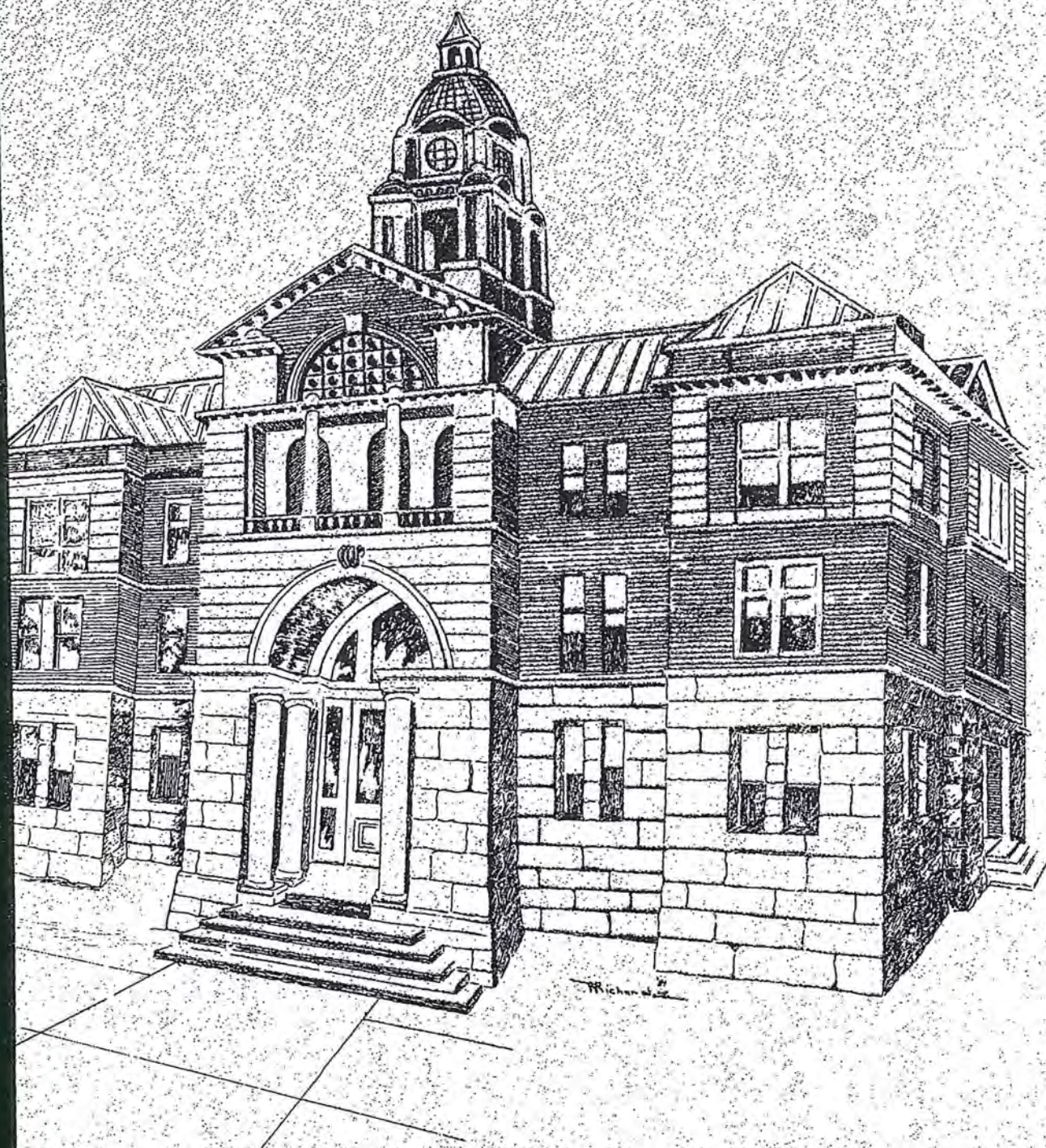


Mt. MORIAH CEMETERY.
DEADWOOD, SOUTH DAKOTA.

Mount Moriah, overlooking historic DEADWOOD, commands an excellent view of the city, and contains the graves of "WILD BILL" HICKOK and CALAMITY JANE, well known characters of 1876.

DR. FLORA HAYWARD STANFORD'S grave is located farther up in the hill side above these two historic graves. CALAMITY JANE was a long time patient of Dr. Stanford's through the period when Deadwood was the wildest of the wild cities of the West.

SOME HISTORY OF LAWRENCE COUNTY



By Lawrence County Historical Society
Deadwood, South Dakota 57732

present.

In 1952 the Sperlings bought land from Mr. H. S. Black and built a new home. The old creamery used to be on this location on Main Street.

CHRISTIAN SPEIGEL

An Old Pioneer Dies at His Home
Near Crook City

Christian Speigel, of Speigel's Gap near Crook City, died at 1:30 Friday afternoon of apoplexy after a few days' illness, during which time he was cared for by neighbors and friends. The deceased was aged 78 years and a native of Germany. He came from Montana in the winter of 1875 and located on Whitewood Creek at a point about a mile and a half above Creek (sic) City where a small stream empties into the stream from the upland which took the name of "Speigel's Gap" and became one of the noted landmarks of that section. He has placer mined more or less every season with varying success. He was also a stonemason and plasterer and frequently worked at his trade.

His life was full of sunshine for others. He was always cheerful and full of rich and original humor that bubbled over, making others happy, and if he had secret sorrows of his own he never intruded them upon others. He made friends of all who knew him and no enemies.

The funeral will be held Sunday. (*Pioneer Times*, December 4, 1902)

DR. FLORA STANFORD

Flora Hayward came from an adventuring family. She was born on December 6, 1838 on her father's ship in the harbor of Trinity Bay, Newfoundland. It was while she was teaching in Normal School at Buffalo, New York that she married Valentine Stanford. Flora and Valentine went to Corry, Pennsylvania where Valentine operated a brickyard for the rest of his life. Victor Hayward was born March 10, 1866 and Emma Florence on July 5, 1870. In 1875 Flora took her children and Mrs. Munsell as governess and housekeeper to Boston



Residence of Dr. Flora H. Stanford on Williams Street in Deadwood, S.D. — taken about 1890.

where she enrolled in Boston Medical College and was graduated in 1878.

After her mother's death in 1888 Dr. Stanford brought her daughter, Emma, to Deadwood. Victor was married and remained in the East. The doctor established a home and a practice at 374 Williams Street (the home is in use in 1981). Dr. Stanford had an interesting practice in Deadwood; a letter to her son tells of removing three bullets from one patient which was unusual; she had frequently removed one but three was a record. The doctor was active in church work, served on the school board and in various women's groups. In 1893 she took her daughter to California hoping the change would improve Emma's health, but Emma died, and Dr. Stanford returned to Deadwood to continue her practice. In 1897 she homesteaded near Sundance, Wyoming, and divided her time for practice of medicine between Deadwood and Sundance. She died February 2, 1901 in Deadwood and is buried in Mount Moriah Cemetery.

1 ORDINANCE NO. 1211

2
3 ORDINANCE AMENDING CHAPTER 17.68 ENTITLED
4 HISTORIC PRESERVATION

5
6 **WHEREAS**, the Deadwood City Commission has determined it is proper and necessary to
7 modify and amend Chapter 17.68 to preserve and protect Deadwood's Historic Resources,
8 therefore

9 **BE IT ORDAINED** Chapter 17.68 of the Deadwood Municipal Code entitled HISTORIC
10 PRESERVATION be amended as follows:

11 Deadwood, SD Code of Ordinances

12 **Chapter 17.68**
13 **HISTORIC PRESERVATION**

14 Sections:

- 15 17.68.010 Historic overlay zone.
16 17.68.020 Historic preservation commission.
17 17.68.030 Historic district commission.
18 17.68.040 Rules of procedure.
19 17.68.050 Criteria for issuance of certificates of appropriateness or project
20 approvals.
21 17.68.060 Procedures for issuance of certificates of appropriateness and
22 project approvals.
23 17.68.070 Unreasonable economic hardship.
24 17.68.080 Appeals.
25 17.68.090 Minimum maintenance requirements.
26 17.68.100 Demolition by neglect.
27 17.68.110 Public safety exclusion.
28 17.68.120 Enforcement and penalties.
29 17.68.130 Appropriations.
30 17.68.140 Title to property acquired.
31 17.68.150 Project review by state.

32 **17.68.010 Historic overlay zone.**

33 A. Purpose. An historic overlay zone is established for the purpose of the protection of the
34 historical resources of the city. Any development within such zone shall comply with the
35 provisions of this chapter.

36 B. Boundaries. The boundaries of the historic overlay zone are indicated on the zoning map
37 under DCO 17.12.010 and follow the boundaries of the federally designated Deadwood
38 National Historic Landmark District and its environs which is defined as the 1981 Deadwood
39 City limits.

40 C. Planning Units.

- 41 1. The historic overlay zone is comprised of a series of planning units, indicated on the
42 zoning map under DCO 17.12.010.

43 The planning units are based on historical development patterns. The historic
44 preservation commission provided for herein, shall initiate a thorough investigation of
45 each planning unit, and may develop design review guidelines specific to each unit. Such
46 guidelines may be consistent with local, state and federal guidelines and regulations,
47 including, but not limited to, building safety and fire codes and the Secretary of the
48 Interior's Standards and Guidelines for Archeology and Historic Preservation;

- 49 2. Except in planning unit 4 where a certificate of appropriateness is required, no person
50 shall commence any undertaking or project, as defined in Section 17.08.010 of this title,
51 affecting any building, structure or historic resource without approval of such
52 undertaking or project by the historic preservation commission, except when the
53 commission or its staff has determined that the undertaking or project will not encroach
54 upon, damage or destroy any historic property. Such determination shall be based upon
55 the guidelines adopted by the Deadwood historic preservation and district
56 commission(s);

- 57 3. Within planning unit 4, no exterior portion of any building or other structure (including
58 walls, fences, light fixtures, steps and pavement or other appurtenant features) nor
59 above-ground utility structure nor any type of outdoor advertising sign shall be erected,
60 altered, restored, moved or demolished until after an application for a certificate of
61 appropriateness as to exterior features has been submitted to and approved by the
62 historic district commission created by Ordinance No. 777. A certificate of
63 appropriateness shall be required whether or not a building permit is required.

64 (Ord. 952 (part), 1999; Ord. 900 (part), 1995; Ord. 831 § 7.1, 1992)

65 **17.68.020 Historic preservation commission.**

- 66 A. Purpose. By virtue of SDCL 1-19B-2, the city is authorized to establish a historic preservation
67 commission to preserve, promote and develop the historical resources of the city, and to
68 perform such other functions as may be provided by law. Pursuant to Resolution No.
69 1987-10, such a commission was established. That commission is recognized, and shall
70 consist of its current members until their successors are appointed as provided by this
71 section.

- 72 B. Membership. The Deadwood historic preservation commission shall consist of not less than
73 five (5) nor more than ten (10) members, who shall be appointed by the city commission
74 with due regard to proper representation of such fields as history, architecture, urban
75 planning, archeology, paleontology and law. All members of the historic preservation
76 commission shall reside within the city and shall serve for terms not to exceed three (3)
77 years, being eligible for reappointment.

- 78 C. Powers of the Historic Preservation Commission. In order to preserve, promote and develop
79 the historical resources of the city, the historic preservation commission shall have the

following powers:

1. To employ such qualified staff personnel, as it deems necessary;
2. To conduct a survey of local historic properties;
3. To enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the commission may enter any private building or structure without the express consent of the owner or occupant thereof except as otherwise provided herein or by applicable law;
4. To participate in the conduct of land-use, urban renewal and other planning processes undertaken by the city;
5. To cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
6. To contract, with the approval of the city, with the state or the federal government, or any agency of either, or with any other organization;
7. To acquire fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequest or donation;
8. To preserve, restore, maintain and operate historic properties under the ownership or control of the commission;
9. To sell, lease and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
10. To promote and conduct an educational and interpretive program on historic properties within the city;
11. In addition to any review by the city's planning and zoning commission and/or building official, the historic preservation commission shall review any undertaking, whether publicly or privately funded, which will encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places; the issuance of a permit is required before any undertaking which will encroach upon, damage, or destroy historic property may proceed; the decision to approve or deny a permit shall be based on the standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A-29; properties owned by the State of South Dakota are exempt from local review; and, as appropriate, the historic preservation commission shall also consider criteria contained in Section 17.68.050;
12. To recommend ordinances and otherwise provide information for the purposes of historic preservation to the city commission;
13. To investigate and report on the historical, architectural, archeological or cultural significance of any properties proposed to be included in a locally-designated historic district pursuant to SDCL 1-19B-20. (Ord. 1160, 2011: Ord. 952 (part), 1999: Ord. 900

(part), 1995: Ord. 831 § 7.2, 1992)

17.68.030 Historic district commission.

A. Purpose. By virtue of SDCL 1-19B-38, the city is authorized to establish a locally designated historic district, and a historic district commission. Pursuant to Ordinance No. 777, such a district and commission were established. That district and commission are recognized by this section.

B. Membership. The historic district commission shall consist of not less than three nor more than seven members appointed by the city commission with due regard to proper representation of fields such as history, architecture, architectural history, urban planning, archaeology, paleontology and law. Where possible, the members shall be selected from residents of the district.

The appointments to membership on the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in like manner for terms of three years.

C. Powers of the Historic District Commission. In order to preserve, promote and develop the historical resources of the historic district established by Ordinance No. 777, the historic district commission shall have the following powers:

1. To study any proposed amendments to Ordinance No. 777 and report thereon;
2. To adopt rules and regulations;
3. To employ clerical and technical assistants or consultants;
4. To accept gifts of money and expend the same for the performance of their purpose;
5. To issue or deny the issuance of certificates of appropriateness in accordance with Section 17.68.010(C)(3) of this chapter.

(Ord. 831 § 7.3, 1992)

17.68.040 Rules of procedure.

To fulfill the purposes of this chapter:

A. A majority of the members of the historic preservation or historic district commission must vote in agreement to constitute any valid action of that commission.

B. Each commission annually shall elect from its membership a chairperson and vice-chairperson. It shall select a secretary from its membership or its staff. If neither the chairperson nor the vice-chairperson attend a particular meeting, the remaining members shall select an acting chairperson from the members in attendance at such meeting.

C. Each commission shall keep minutes and records of all meetings and proceedings, which shall be a matter of public record.

D. Each commission shall establish its own regular meeting time, which shall be scheduled at least once every month. The chairperson or any two members may call a special

meeting to consider an urgent matter.

~~E. Certificates of appropriateness issued by the historic district commission and project approvals issued by the historic preservation commission shall expire twelve (12) months after issuance. When a certificate or an approval have expired, an applicant may seek a new certificate or approval.~~

~~F. E.~~ Should any voting member of either commission miss three consecutive meetings without adequate excuse, or twenty-five (25) percent of the meetings in any one calendar year, the voting members of that commission shall have the authority to recommend to the city commission that such member be removed from the commission.

(Ord. 900 (part), 1995; Ord. 831 § 7.4, 1992)

17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.

The historic district and historic preservation commissions shall use the following criteria and established design review guidelines in granting or denying certificates of appropriateness and project approvals:

A. General Factors.

1. Architectural design of the resource and proposed alteration;
2. Historical significance of the resource;
3. General appearance of the resource;
4. Condition of the resource;
5. Materials composing the resource;
6. Size of the resource;
7. The relationship of the above factors to, and their effect upon the immediate surroundings and upon the district as a whole and its architectural and historical character and integrity; and
8. The location and visibility of the alteration and resource.

B. New Construction.

1. In advance of new construction, steps shall be taken by the owner to insure evaluation of possible archaeological resources, as set forth in SDCL 1-20.
2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
3. Existing rhythm created by existing building masses and spaces between them shall be

191 preserved.

192 4. The landscape plan shall be compatible with the resource, and it shall be visually
193 compatible with the environment with which it is visually related. Landscaping shall also
194 not prove detrimental to the fabric of a resource, or adjacent public or private
195 improvements like sidewalks and walls.

196 5. No specific architectural style shall be required.

197 6. With respect to these new construction criteria, the commission shall also consider the
198 zoning classification and historic integrity of visually related buildings.

199 C. Exterior Alteration.

200 1. All exterior alterations to a building, structure, object, site or landscape feature shall be
201 compatible with the resource itself and other resources with which it is related. The
202 original design of a building, structure, object or landscape feature shall be considered
203 in applying these standards.

204 2. Exterior alterations shall not affect the architectural character or historic quality of a
205 resource and shall not destroy the significance of resource sites.

206 D. Demolition.

207 1. The individual architectural, cultural and/or historical significance of the resource.

208 2. The importance or contribution of the resource to the architectural character of the
209 district and, where appropriate, the damaging impact of the resource on the
210 architectural character of the district.

211 3. The importance or contribution of the resource to neighboring property values and,
212 where appropriate, the damaging impact of the resource on neighboring property
213 values.

214 4. Whether or not the resource is structurally sound, including the owner's efforts to
215 properly maintain the resource.

216 5. Whether or not the resource can be rehabilitated on site to provide for any reasonable
217 beneficial use of the property, taking into consideration the costs of the proposed
218 rehabilitation or restitution versus the market value of the property and various,
219 federal, state and local incentives for such projects.

220 6. Whether or not it is possible and/or appropriate to move the resource to another site in
221 the historic district(s).

222 4.7. Whether or not appropriate measures are proposed to be taken with respect to
223 the potential for the discovery of archaeological resources on the subject property.

224 5.8. —4. The commission shall consider — The difficulty or impossibility of
225 reproducing such a resource because of its texture, design, material or detail.

226 9. —5. An applicant for demolition must receive a certificate of appropriateness or
227 project approval for demolition before receiving a demolition permit issued by

228 | Deadwood Historic Preservation Officer and Building Inspector, which must be received
229 | prior to demolition. In order to receive such certificate of appropriateness or project
230 | approval, the applicant must submit plans for the property. In planning unit number 4,
231 | such plans must include or contemplate new construction, and the applicant shall
232 | provide the historic district commission with plans for this purpose which shall include,
233 | but shall not be restricted to, project concept, primary elevations, site plans, completed
234 | working drawings for at least the foundation plan which will enable the applicant to
235 | receive a permit for foundation construction and a construction or project schedule
236 | including satisfactory assurances of compliance with such construction or project
237 | schedule. Other than in planning unit number 4, such plans do not have to include new
238 | construction.

239 | 10. In cases of partial demolition affecting an historic resource, the application shall include
240 | proof that the partial demolition is required for the renovation, restoration or
241 | rehabilitation of the resource and the applicant has mitigated to the greatest extent
242 | possible any impacts on the historical and architectural significance of the resource, and
243 | any other resources located on the property.

244 | ~~6.11.~~ Prior to the issuance of a permit for demolition or partial demolition, the
245 | commission may require the applicant to provide information about the resource
246 | including the date of original construction, significant events and occupants,
247 | architectural features and a description of the building through photographs, plans and
248 | maps. As a part of this process, the commission may require the applicant to allow the
249 | Historic Preservation Officer or that person's appointee on the subject property to
250 | provide additional photo documentation of the resource. The city may further require
251 | the preservation or salvage of specific architectural elements of the resource.

252 | ~~7.12.~~ —6. Applicants that have received a certificate of appropriateness or project
253 | approval for demolition shall be permitted to receive such demolition permit without
254 | additional commission action, provided that such certificate of appropriateness includes
255 | approval of construction plans if the demolition is located within planning unit number
256 | 4. Permits for demolition and construction shall be issued simultaneously if the
257 | requirements of this section are met, and the applicant has provided financial proof of
258 | his or her ability to complete the project.

259 | ~~8.13.~~ —7. When the commission recommends approval of demolition of a resource,
260 | a permit shall not be issued until all plans for the site have received approval from all
261 | appropriate city boards, commissions, departments and agencies. Compliance with SDCL
262 | 1-19A 11.1 shall be considered prior to the issuance of a demolition permit by Building
263 | Inspector and Deadwood Historic Preservation Officer.

264 | (Ord. 952 (part), 1999; Ord. 926 (part), 1997; Ord. 831 § 7.5, 1992)

265 | **17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.**

266 | A. Whenever any application for a certificate of appropriateness or project approval is filed
267 | with the historic district or historic preservation commission, the commission(s) and/or
268 | their staff shall immediately notify the city building official that the application has been

filed.

Similarly, whenever the city building official becomes aware that an application has been filed for a permit affecting a property under the jurisdiction of the historic district or historic preservation commission, the city building official shall immediately notify the commission chairperson or vice-chairperson, if the chairperson is unavailable, and/or their staff that such an application has been filed.

B. The commissions and/or their staff shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the commissions shall not be considered to have been filed for the purposes of this chapter. The commissions shall develop and adopt standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.

C. The chairperson or vice-chairperson of each commission shall establish a regular schedule for the hearings of that commission. At least one hearing shall be scheduled for each month.

D. The applicant shall, upon request, have the right to a preliminary conference with a member of the commission or of the commission staff for the purpose of learning whether changes or adjustments to the application could make it more consistent with the commission's standards.

E. At the scheduled hearing, the applicant for a certificate of appropriateness or project approval has the right to present any relevant information pertaining to the application. Likewise, the city, the commission and its staff and members of the public shall have the right to present any additional relevant information pertaining to the application.

F. The commissions shall have the right to recommend changes and modifications to enable the applicant to meet the requirements of the commission.

G. The issuance of a certificate of appropriateness or project approval shall not relieve an applicant of the need for a companion building permit, conditional use permit, variance or other authorization from compliance with any other requirement or provision of the laws of the city or the state concerning zoning, construction, repair or demolition. In all such cases, applicants are encouraged to apply first for a certificate of appropriateness or project approval as other city agencies will be advised by the historic preservation or historic district commissions in making their subsequent decisions. No building permit which affects a resource shall be issued by the city building official prior to the issuance of a certificate of appropriateness or project approval by the historic district or historic preservation commission.

H. The project under the certificates of appropriateness issued by the historic district commission or a project approval issued by the historic preservation commission for the purposes other than the moving or demolition of a resource shall be completed within twelve (12) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set

at the time of the issuance of the extension. Failure to comply with the approved project shall be deemed in violation of this chapter and subject to applicable measures of law under DCO 17.68.120.

Certificates of appropriateness and project approvals issued by either commission for the moving or demolition of a resource shall expire six (6) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension.

(Ord. 831 § 7.6, 1992)

17.68.070 Unreasonable economic hardship.

A. When an ~~claim~~ applicant claims rehabilitation or restitution of a subject property is not economically reasonable based upon the costs associated with rehabilitation or restitution, the commission may consider various factors, including but not limited to the following: of unreasonable economic hardship is made due to the effect of this chapter, the owner of record must present evidence sufficient to prove that as a result of the historic district or historic preservation commission's action he or she is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the commission for its review information which shall include, but not be limited to, the following:

1. Date the property was acquired by its current owner;
2. Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
3. Mortgage history of the property, including current mortgage;
4. Current market value of the property;
5. Equity in the property;
6. Past and current income and expense statements for a two-year period;
7. Past capital expenditures during ownership of current owner;
8. Appraisals of the property obtained within the previous two years; ~~and~~
9. The original use of the property;
10. The anticipated rate of return of the invested improvements for restoration or rehabilitation;
11. The cost to prepare the property for a new use;
12. The cost to rehabilitate or restore the property; and
13. Income and property tax factors affecting the property.

B. The commission may require that an applicant furnish additional information relevant to its

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numbering

determination of unreasonable economic hardship.

B.C. The consideration for economic hardship shall not include willful or negligent acts by the owner or by their agent, purchase of the property for more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.

C.D. The commission may receive and consider studies and economic analyses from other city agencies and from private organizations relating to the property in question.

D.E. Should the commission determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes.

E.F. Should the applicant satisfy the commission that he or she would suffer an unreasonable economic hardship if a certificate of appropriateness or project approval were not issued, such certificate must be approved.

(Ord. 831 § 7.7, 1992)

17.68.080 Appeals.

The applicant who desires to appeal a decision by the historic district or historic preservation commission shall file an appeal with the circuit court of Lawrence County within thirty (30) days after the determination of the issue by the commission in the manner provided by law.

(Ord. 831 § 7.8, 1992)

17.68.090 Minimum maintenance requirements.

In order to insure the protective maintenance of resources, the exterior features of such properties shall be maintained to meet the requirements of the city's minimum housing code and the city's building code under DCO 15.01.

(Ord. 831 § 7.9, 1992)

17.68.100 Demolition by neglect.

Procedures to identify and protect resources from potential demolition resulting from the deliberate or inadvertent neglect of the owner or owners.

A. Purpose. All resources as defined in Chapter 17.08 of this title within an historic district or historic overlay zone, including the exterior features of any building or structure (inclusive of, but not limited to, walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), or any type of outdoor advertising sign either designated as an historic resource or found to have significance, or any archeological resource shall be preserved by the owner or such other person who may have legal possession, custody, and control thereof against decay and deterioration and kept free from structural defects. The owner, or other person having such legal possession, custody, and control, shall repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to any of the following defects:

- 383 1. Deterioration of exterior walls, foundations, or other vertical support that causes
384 leaning, sagging, splitting, listing, or buckling;
- 385 2. Deterioration of flooring or floor supports, roofs, or other horizontal members that
386 causes leaning, sagging, splitting, listing or buckling;
- 387 3. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or
388 buckling;
- 389 4. Deterioration or crumbling of exterior plasters or mortars or the deterioration or
390 crumbling or spalling of exterior bricks;
- 391 5. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken
392 windows or doors;
- 393 6. Defective protection or lack of weather protection for exterior wall and roof
394 coverings, including lack of paint, or weathering due to lack of paint or other
395 protective covering;
- 396 7. Rotting, holes, and other forms of decay;
- 397 8. Deterioration of exterior stairs, porches, handrails, window and door frames,
398 cornices, entablatures, wall facings, and architectural details that causes
399 delamination, instability, loss of shape and form, or crumbling;
- 400 9. Heaving, subsidence, or cracking of sidewalks, steps or pathways;
- 401 10. Deterioration of fences, gates, and accessory structures;
- 402 11. Deterioration that has a detrimental effect upon the historic character of the district
403 or overlay zone as a whole or the unique attributes and character of the resource;
- 404 12. Deterioration of any exterior feature so as to create or permit the creation of any
405 hazardous or unsafe conditions to life, health, or other property; or
- 406 13. Any other deficiencies or defects that may constitute or contribute to the decay or
407 deterioration of any resource or property.
- 408 B. Investigation and Inspection. If the condition of any resource as contemplated in
409 paragraph A. above is suspected of being destroyed, damaged, or lost through or by neglect
410 of the owner of the resource, the building official shall conduct an investigation and
411 inspection of the resource. Prior to conducting any investigation or inspection, the building
412 official shall:
- 413 1. Request, within fifteen (15) days of the identification of any suspected defects,
414 permission from the owner of the resource to have full access to the resource; and
- 415 2. Consult with the city planner and the historic preservation officer about any suspected
416 deficiencies or defects outlined in paragraph A. above.
- 417 C. Findings. The building official shall prepare, within fifteen (15) days of the completion of
418 his investigation and inspection, a written report of his findings on the condition of the
419 resource which report may identify, but is not limited to, the following:

- 420 1. That there is no action required by the owner or owners;
- 421 2. That minimum maintenance of the resource is required to protect, preserve, and/or
- 422 stabilize the resource;
- 423 3. That the resource is being demolished by neglect; or
- 424 4. That the resource may be demolished, vacated, or stabilized.
- 425 D. Notice of Report. A copy of any report shall be sent by certified mail, return receipt
- 426 requested, to the owner of the resource and a copy provided to the historic preservation
- 427 commission and may include any recommendations including a time frame to remedy
- 428 minimum maintenance or other work necessary to stop the demolition by neglect, stabilize
- 429 the resource, vacate the property, or demolish the resource.
- 430 E. Hearing and Notice of Hearing. Upon receipt of any written report in which the building
- 431 official has found that there is minimum maintenance required, demolition by neglect, or
- 432 the resource can or should be demolished, the historic preservation officer shall cause to be
- 433 scheduled a hearing before the historic preservation commission to review and take action
- 434 based on the report from the building official. The owner of the resource shall be served
- 435 with written notice of the time and date of the hearing not less than ten (10) days prior to
- 436 the hearing.
- 437 F. Legal Notice Requirement. Any notice required herein shall be considered delivered if sent
- 438 by certified mail, return receipt requested and mailed to the last known address of the
- 439 record owner or owners as listed on the city and/or county tax rolls or by other methods
- 440 allowed by law.
- 441 G. Hearing on Report. At the hearing the historic preservation commission shall receive
- 442 evidence on the issue of whether the subject resource should be repaired, vacated,
- 443 stabilized, or can be demolished. The owner or owners may present competent evidence
- 444 in rebuttal thereto. At the conclusion of the hearing, the historic preservation commission
- 445 may make, but shall not be limited to, one of the following determinations:
- 446 1. That there is no action required by the owner or owners.
- 447 2. That minimum maintenance is required and requiring the owner to present a plan to the
- 448 historic preservation commission within thirty (30) days from the receipt of notice of the
- 449 historic preservation commission's determination as to the steps the owner must
- 450 undertake to correct minimum maintenance issues. The owner or owners or their
- 451 agents may be required to submit an application for a certificate of appropriateness
- 452 and/or project approval for all proposed work. The historic preservation commission
- 453 must review and act on all such applications before the issuance of a building
- 454 permit. All work shall be completed within ninety (90) days of the approval from the
- 455 historic preservation commission. The historic preservation commission may grant up
- 456 to two (2) extensions of ninety (90) days each due to inclement weather or other
- 457 unforeseen difficulties. Should the historic preservation commission find that the
- 458 owner or owners have not pursued the necessary repairs with reasonable diligence, the
- 459 historic preservation commission may pursue civil and/or criminal penalties (17.68.120)

and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.

3. Demolition by neglect is occurring and requiring the owner to present a preliminary plan including a timetable to the historic preservation commission within thirty (30) days generally identifying the work necessary to abate the demolition by neglect. The owner or owners or their agents shall submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all applications and must also approve all timetables for work required to abate the demolition by neglect before issuance of a building permit. The historic preservation commission may grant extensions to the timetable due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.

4. Condemnation of the resource and allow for its demolition in compliance with all local, state, and federal laws, rules, and regulations. Within thirty (30) days the owner shall present a plan to the historic preservation commission identifying the necessary recordation which, along with the demolition shall be completed within ninety (90) days. Recordation must be reviewed and acted upon by the historic preservation commission before a demolition permit is issued. The historic preservation commission may grant up to two (2) ninety (90) day extensions due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not undertaken recordation and demolition with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.

- H. Notice of Commission Action. The historic preservation officer shall notify the owner in writing of the determination of the historic preservation commission and the action required of the owner within ten (10) days of the hearing. Such notice shall identify and provide clear instructions to the owner as to the remedial work required by the historic preservation commission.

- I. Remedial Work and Compliance. Upon the completion of any minimum maintenance work, recordation work, or other work required by the historic preservation commission, the owner shall notify the historic preservation officer of the completed work. The building official along with the historic preservation officer and any other professional deemed necessary by the historic preservation officer shall inspect, within fifteen (15) days of notification, the completed work and shall cause, within fifteen (15) days of the inspection, the issuance of a written report to be submitted to the owner and the historic preservation commission to determine if the work completed is in compliance with city codes and ordinances and meets the requirements of the historic preservation commission. The historic preservation commission must review and act upon all such reports. All remedial

work required by the historic preservation commission must be completed in compliance with such plans approved by the historic preservation commission.

- J. Intentional Neglect. Intentional neglect shall be defined as willful actions perpetrated by the owner or owners or their agents that result in damage to a resource. Such actions may include, but are not limited to, intentional running of water taps, hoses, or other man-made water devices resulting in flooding, erosion, or other water damage to the resource; intentional exposure of the resource to natural elements of wind, rain, snow, or other precipitation through the opening of windows, doors, skylights, or other moveable features of a resource; intentional drilling, boring, or cutting of holes in the roof, exterior walls or supporting members of a resource.

(Ord. 1081 (part), 2007; Ord. 1007, 2003; Ord. 831 § 7.10, 1992)

17.68.110 Public safety exclusion.

In the event any resource shall be damaged by flood, fire, or other catastrophe or unforeseen event that results in damage or possible loss of a resource, and the building official, with the concurrence of the city planner and the historic preservation officer, deems the resource to present an immediate threat to public safety, the historic preservation officer shall call an emergency meeting before the historic preservation commission, which shall take place within seventy-two (72) hours of the event. At such meeting, evidence shall be presented regarding the seriousness of the damage and the threat to public safety and any evidence in rebuttal thereto may also be presented. In the event the danger to public safety is imminent, the owner or owners shall stabilize and protect the resource pending consideration by the historic preservation commission. The historic preservation commission shall, based on the evidence presented, determine the course of action to be taken.

(Ord. 1081 (part), 2007; Ord. 831 § 7.11, 1992)

17.68.120 Enforcement and penalties.

The following civil and criminal penalties may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this chapter.

A. Civil Penalty.

1. Any person who constructs, alters, relocates, or demolishes any building or resource in violation of this chapter or causes any building or resource to be constructed, altered, relocated, or demolished in violation of this chapter may be required to restore the building or resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the city. Any civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.
2. If demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a certificate of appropriateness, or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resource as set forth above, may be denied for a period of ten (10) years. ~~In addition, the applicant may not be entitled to have issued to the applicant, by any city office, a~~

542 ~~permit allowing any curb cuts on the subject property for a period of ten (10) years from~~
543 ~~and after the date of such demolition.~~

- 544 3. If any other undertaking or project other than the demolition of a building or resource
545 occurs without issuance of proper permits based on the procedures of city, state or
546 federal regulations, or without the issuance of a required certificate of appropriateness
547 or project approval, then any City permits, by any city office, on the subject property,
548 with the exception of a permit to restore the building or resources as set forth above,
549 may be denied for a period of five (5) years. ~~In addition, the applicant may not be~~
550 ~~entitled to have issued to the applicant, by any city office, a permit allowing any curb~~
551 ~~cuts on the subject property for a period of five (5) years from and after the date of such~~
552 ~~undertaking or project.~~

- 553 4. If any resource found to be in a state of demolition by neglect as outlined in 17.68.100
554 should be allowed by the owner or owners to remain in a state of demolition by neglect,
555 then any City permits, by any city office, for any property issued to the owner or
556 owners, with the exception of those permits expressly for the necessary repairs to
557 restore the resource to a safe and sound condition, may be denied for a period of ten
558 (10) years or until such time as the resource has been returned to a safe and sound
559 condition, whichever is shorter. ~~In addition, the owner or owners may not be entitled to~~
560 ~~have issued to them, by any city office, a permit allowing any curb cuts on any property~~
561 ~~for a period of ten (10) years, or until such time as the resource has been returned to a~~
562 ~~safe and sound condition, whichever is shorter.~~

- 563 5. The Commission(s) shall institute appropriate action or proceeding in the name of the
564 City of Deadwood to enjoin, correct or abate any violation of this chapter including but
565 not limited to withholding any City permits, by any city office, and/or any actions
566 allowable under SDCL 42-7B, , et seq, if applicable.

- 567 B. Criminal Penalty. Any person or legal entity who constructs, alters, relocates, demolishes,
568 or intentionally allows demolition by neglect of any building or resource in violation of this
569 chapter or who causes any building or resource to be constructed, altered, relocated, or
570 demolished~~s~~ in violation of this chapter, shall be guilty of a Class 2 Misdemeanor punishable
571 by the maximum sentence as set forth in SDCL 22-6-2. Each day the violation continues to
572 exist shall be punishable as a separate offense. (Ord. 1081 (part), 2007; Ord. 851 (part),
573 1993; Ord. 831 § 7.12, 1992)

- 574 C. Failure to perform any act required by this ordinance or performance of any act prohibited
575 by this ordinance or of any conditions of any Certificate of Appropriateness or Project
576 Approval issued hereunder, shall constitute a violation and be subject to penalties provided
577 in this or any other applicable city ordinance or state law. Each day on which there is a
578 failure to perform a required act, or on which a violation exists shall constitute a separate
579 violation for purposes of this ordinance.

580 **17.68.130 Appropriations.**

581 The city is authorized to make appropriations to the commission necessary for the expenses of
582 the operation of the commission and may make additional amounts available as necessary for

583 the acquisition, restoration, preservation, operation and management of historic properties.
584 (Ord. 831 § 7.13, 1992)

585 **17.68.140 Title to property acquired.**

586 All property acquired by funds appropriated by the city shall be acquired in the name of the city
587 unless otherwise provided by the city.
588 (Ord. 831 § 7.14, 1992)

589 **17.68.150 Project review by state.**

590 Projects requiring review pursuant to this chapter, after approval by the historic district
591 commission or historic preservation commission, will be submitted to the South Dakota
592 Historical Preservation Center Office for review as required by SDCL 1-19A-11.1 or any written
593 agreements between the city and the state of South Dakota. The requested certificate of
594 appropriateness or project approval shall be issued or denied by the city after the review
595 process described by SDCL 1-19A-11.1 and its supporting rules or any written agreements
596 between the city and the state of South Dakota has been implemented.
597 (Ord. 961, 2000; Ord. 831 § 7.15, 1992)

598

599 Dated this ____ day of May, 2014.

600 CITY OF DEADWOOD

601

602 _____

603 Charles Turbiville, Mayor

604 ATTEST:

605 _____

606 Mary Jo Nelson

607 Finance Officer

608

609 First Reading:

610 Second Reading:

611 Published:

612 Adopted:

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

KEVIN KUCHENBECKER
Historic Preservation Officer
Telephone: (605) 578-2082
Fax: (605) 578-2084
kevin@cityofdeadwood.com

MEMORANDUM

Date: October 17, 2014
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Re: Project Approvals for 2 Fremont

Since no further information has been received in the Historic Preservation Office pertaining to the Project Approval application submitted for 2 Fremont at this time, the Staff Report stands as previously presented.

Staff will follow-up with the applicant on Monday, October 20, 2014 regarding possible contractor bids.

Thank you.

Deadwood Historic Preservation Commission

Retaining Wall Program

Statement of Eligibility

Address of Property: 10 Harrison Street
 Owner of property:
 Name: Travis Conrad
 Address: 10 Harrison Street
 Deadwood, SD 57754
 Telephone: () - Cell: (605) 920 - 1210
 E-mail: travis937@gmail.com

The retaining wall(s) associated with the above address meets the following criteria:

- ☒ The retaining wall is within the Deadwood city limits
- ☒ The retaining wall is part of a residential property. Retaining walls on commercial properties are not eligible for the program.

The retaining wall(s) meets one or more of the following:

- ☒ **Historic Wall:** The retaining wall must be determined a historic, or contributing feature in the Deadwood National Historic Landmark District.


 Signature of the Historic Preservation Officer

10/17/2014
 Date

- ☒ **Threat to Historic Property:** The physical condition of the retaining wall must threaten the historic integrity of a historic or contributing building or structure in the Deadwood National Historic Landmark District. Determination of a retaining wall's threat to a historic or contributing building or property will be done in accordance with Section 1906 – Retaining Wall of the 2003 International Building Code.

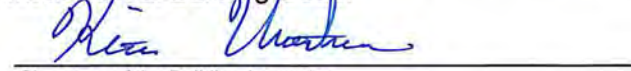

 Signature of the Historic Preservation Officer

10/17/2014
 Date


 Signature of the Building Inspector

10/17/2014
 Date

- ☐ **Life – Safety:** The physical condition of a retaining wall must threaten individual life safety. Determination of a retaining wall's threat to individual life safety is based upon applicable definitions under Section 105.2 (4) of the 2003 International Building Code.


 Signature of the Building Inspector

10/17/2014
 Date

The City of Deadwood's Historic Preservation Officer and Building Inspector determine a retaining wall's eligibility. All eligible applications are subject to the review of the Deadwood Historic Preservation Commission.

Return this form to:

City of Deadwood Historic Preservation

C/O NeighborWorks Dakota Home Resources

795 Main Street

Deadwood, SD 57732

Revolving Loan Fund – Retaining Wall Program Application

The Deadwood Historic Preservation Commission reviews all applications.
Please read the attached Policy Guidelines and provide the requested information below.

1. Address of Property:

10 Harrison St
Deadwood SD 57732

2. Applicant's name & mailing address:

Travis Conrad
10 Harrison St
Deadwood SD 57732

Telephone: (605) 920-1210

3. Owner of property – name and address:
(If different from applicant)

E-mail Travis937@gmail.com

Telephone: () -

E-mail

4. Description of Retaining Wall and Proposed Work:

Please describe, in detail, the work including a description of the project, its location, existing conditions and the reasons why funding the work is required. Use additional sheets if necessary.

Remove and replace broken retaining wall's
behind and beside house wall's falling
into bedroom and bathroom wall's and is
a safety risk I cannot afford to replace
wall's

RWG Application/Policy Guidelines

I acknowledge that I have read the policy guidelines for the loan or program included with and for this application and agree to all of the terms and conditions contained in the policy guidelines.

I certify that all information contained in this application and all information furnished in support of this application is given for the purpose of obtaining financial assistance is true and complete to the best of my knowledge and belief.

I agree to indemnify and hold harmless the Deadwood Historic Preservation Commission and the City of Deadwood against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the Deadwood Historic Preservation Commission's acceptance, consideration, approval, or disapproval of this application and the acceptance or denial into the program.

In Witness whereof, I _____, being duly authorized, has caused

Print name

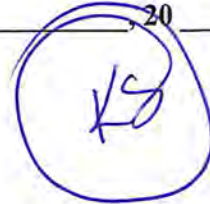
this document to be executed in its name on this _____ day of _____, 20____.

Signature: Travis Conrad

Signature: _____

Signature: _____

Signature: _____



Revolving Loan Fund – Retaining Wall Program

Policy Guidelines

1. Statement of Purpose and Objectives:

The restoration and protection of Deadwood's historic buildings and structures are acknowledged to be a primary part of the City's goal to preserve and maintain Deadwood's historic integrity. The expense of such restoration and rehabilitation projects may from time to time discourage property owners from having the work completed or may result in a lower quality of craftsmanship. The purpose of this program is to assist and encourage property owners to restore and protect their properties through the use of quality materials and craftsmanship.

Deadwood Historic Preservation Commission reserves the right to revise loan policy or discontinue the program at any time without public notice.

2. Objective:

The City of Deadwood is a National Historic Landmark and is listed on the National and State Registers of Historic Places. Maintaining these designations is critical to the economic success of the City and quality of life of its residents. The objective of the program is to stimulate quality restoration and rehabilitation of buildings and structures that contribute to the historic integrity of the City of Deadwood.

3. Eligibility:

To be eligible for the Retaining Wall program a retaining wall must meet the following criteria:

- The retaining wall must exist within the Deadwood city limits
- The retaining wall must exist as part of a residential property. Retaining walls on commercial properties are not eligible for the program.

A retaining wall must also meet one of the following:

- The retaining wall must be determined a historic, or contributing feature in the Deadwood National Historic Landmark District. To obtain this status, the retaining wall must possess an age of fifty years or older, and must be eligible for listing in the National Register of Historic Places as defined in the National Park Service's National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.
- The physical condition of the retaining wall must threaten the historic integrity of a historic or contributing building or structure in the Deadwood National Historic Landmark District. Historic buildings and structures that contribute to the Deadwood National Historic Landmark District are listed in the city's 1993 Historic Sites Inventory. Any property not present in these listings must be eligible for listing on the National Register of Historic Places as defined in the National Park Service's National Register Criteria for Evaluation. Determination of a retaining wall's threat to a historic or contributing building or property will be done in accordance with the 2012 International Building Code.
- The physical condition of a retaining wall must threaten individual life safety. Determination of a retaining wall's threat to individual life safety is based upon applicable definitions under the 2012 International Building Code.

The City of Deadwood's Historic Preservation Officer and Building Inspector determine a retaining wall's eligibility. All eligible applications are subject to the review of the Deadwood Historic Preservation Commission.

4. Priority Schedule:

- a. Due to the limited availability of program funds and the extensive need for quality craftsmanship, a priority schedule will be referred to in processing applications for the Retaining Wall Program. These priorities may be amended to reflect the availability of funding and completion of projects currently considered "high priority." The Deadwood Historic Preservation Commission will evaluate each application received and will take into consideration the needs and priorities.
- a. First priority projects are those required by the City of Deadwood's Building Inspector and necessary to comply with applicable Life Safety Codes.
- b. Second priority projects are those affecting the preservation and protection of properties listed on the city's 1993 Historic Sites Inventory as contributing to the Deadwood National Historic Landmark District.
- c. Third priority projects those affecting structures which in the opinion of the Deadwood Historic Preservation Office, contribute to the historical integrity of the City of Deadwood as defined in Chapter 24:52:00:01 (4) of the administrative rules of the South Dakota State Office of History.

5. Loan Criteria:

NeighborWorks Dakota Home Resources will verify the owner occupied status based on the Lawrence County Department of Equalization records.

First priority (Life Safety) projects may be eligible for the Revolving Loan Fund in accordance with the following schedule:

Life Safety Wall	AMOUNT	INTEREST RATE	TERM	SECURITY
	\$5,000 - \$50,000	0%	10 years	Security required

Restoration of all other priority walls and structures may be eligible for the Revolving Loan Fund in accordance with the following schedule:

AMOUNT	INTEREST RATE	TERM	SECURITY
\$5,000-\$50,000	5%	10 years	Security required

6. Loan Application:

- a. Loan package forms and technical assistance are available at NeighborWorks Dakota Homes Resources, 795 Main Street, Deadwood, SD 57732.
- b. The credit application should be submitted to NeighborWorks Dakota Home Resources. The retaining wall application form should be submitted to Historic Preservation Office at the City of Deadwood, 108 Sherman Street, Deadwood, SD 57732

7. Loan Approval Process:

- a. Application – In the application stage, the applicant will submit an application form outlining the basic project and including the following:
 1. Uniform Residential Loan Application/1003 form
 2. Verification of Income – If the property is owner-occupied, the applicant(s) will need to submit two months paystubs. If the property is a rental, the applicant must submit a balance sheet. Copies of lease agreements and copies of the last two years tax returns.
 3. Two years tax returns
 4. Two months bank statements for all accounts
 5. Credit report will be obtained at a cost of \$16 for a single, and \$25 for a joint report (these costs are subject to change)
 6. Proof of ownership – A copy of the deed, the contract for deed, or the acquisition contract must be submitted.
 - 7.
- b. Commitment-Upon approval from the deadwood Historic Preservation Commission of the application program funds will be reserved for a period of one year. A project must be completed, or under construction, within one year of the Historic Preservation Commission's allocation of funds. Failure to meet this requirement will terminate the program commitment.

All acceptable applications will be reviewed and recommendations will be presented to the Deadwood Historic Preservation Commission within 30 days of submission of a complete application. Upon Commission action, an applicant will be notified in writing, whether or not their application has been approved.

The Deadwood Historic Preservation Commission reserves the right to deny funding for any proposal, if it determines, in its sole discretion, that the project does not further the purposes and goals as set forth by the Deadwood Historic Preservation Commission.

8. Requirements for project:

- a. All applications will be processed on a first-come, first-served basis.
- b. The retaining wall considered in an application must meet the program's eligibility requirements.
- c. The Historic Preservation Commission will review each application based on the administrative procedures.
- d. The City of Deadwood's Historic Preservation Officer and Building Inspector will monitor all projects.
- e. Reconstructed retaining walls greater than four feet high must be engineered, as required by the 2012 International Building Code. The Historic Preservation Commission will obtain and pay for the cost of engineering services.
- f. The applicant will be required to sign an application assuming responsibility for engineering costs until the project is complete. The Historic Preservation Commission is not responsible for engineering costs associated with incomplete projects.
- g. The bids will go through the City of Deadwood's bid process per SDCL
- h. The Historic Preservation Officer must approve all retaining wall designs.

- i. The Historic Preservation Commission will disburse all program funds directly to the project's contractors and/or suppliers of materials based on the administrative procedures.
- j. A project must be completed, or under construction, within one year of the Historic Preservation Commission's allocation of funds. Failure to meet this requirement will terminate the program commitment.
- k. All projects will be performed pursuant to the requirements of the 2012 International Building code.
- l. All projects will be performed in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. Failure to meet this requirement will terminate the program commitment.
- m. The Maker defaults under the terms of the mortgage in regards to the payment of property taxes or assessments against the mortgaged property or in regards to maintenance of property insurance coverage on the mortgage property; OR the maker otherwise, through acts or omissions, jeopardized the value of the property can bring the amount of the loan due and payable in full.

9. Program Requirements:

Taking into consideration a retaining wall's condition, the applicant's needs, and any life-safety factors, the Historic Preservation Commission will determine the maximum funds available per application.

The formula used to find the clients portions are as follows:

- a. The owner will be responsible for 50% of the project costs with a minimum of \$5,000 and a maximum \$50,000.
- b. If the property is owner occupied the loan may be forgivable in five years.
- c. If the property is non-owner occupied the loan may be forgivable in ten years.
- d. In all cases the engineering cost is applied to the forgivable portion of the loan.

10. Recapture:

Program funds are contingent upon the applicant maintaining ownership of the property for five years. The deferred loan will be paid in full if the property is sold and/or the title is transferred within the five year period.

A mortgage will be placed on the property for monitoring. In the event of death of the applicant, immediate family members will assume terms and conditions. The Historic Preservation Commission, on a case-by-case basis, may consider other circumstances.

11. Loan Restructure:

In the event the loan has matured prior to full payment of the principal balance, the loan may be restructured or amended.

For loans with a good payment history the applicant may request to have a loan restructured. For such a request, the applicant must complete a new application, and a credit report will be completed at the applicant's cost. The

RWG Application/Policy Guidelines

restructure request will then be presented to the Deadwood Historic Preservation Commission for approval. The following conditions apply:

1. The interest rate will be increased to the present program rate.
2. The monthly payment will be adjusted to accommodate the applicant's repayment capabilities.
3. The term may be extended, not to exceed the original term.

In the event the loan has matured prior to full payment of the principal balance and the borrower does not have a good payment history and cannot pay the loan in full, the Deadwood Historic Preservation Commission reserves the right to request the borrower seek other financing. If the borrower is denied other financing, the existing loan will be considered as a "Non-Conforming Loan." The Preceding guidelines will be followed and the Deadwood Historic Preservation Commission, on a case-by-case basis, will review restructure of the loan.

August and September 2014 City Archives Monthly Report

These are the items I worked on during the months of August and September 2014.

RESEARCH REQUESTS

I received and answered fourteen (14) requests in August and twenty-four (24) requests in September. The requests took the form of emails, walk in researchers, mail inquiries, and department head and city employee requests.

COLLECTIONS MANAGEMENT

- **City Archaeological Collections:** In August and September, I worked on entering the City's archaeological catalog records into an Excel spreadsheet. These catalog records were collected by city archaeologist Dana Vallencourt in the early 1990s. Upon completion, this database will allow a researcher to peruse all of the City owned archaeological collections and search for specific objects at one time. To date, I have entered 16 collections or 929 objects into this database. One of the more interesting items included a 10 cent token from Carr & Riley, the proprietors of the Green Front Theatre and the Combination Theatre. It is my plan to finish this spread sheet and convert it into a Microsoft Access database by December of 2014.

Donations 2014.12, 2014.13, 2014.14 and 2014.15: During August and September, the City received four new donations. **Donation 2014.12** Richard Popp of Chillicothe, Illinois donated twenty-three (23) black and white prints from the 1960s focusing on Lead/Deadwood City Circle Tour, which was part of the Old West Trail system. **Donation 2014.13** Don Toms of Lead, South Dakota donated a copy of the Homestake Veterans Association yearbook. This book contains names and photographs of Homestake employees who worked for HMC for over 20 years. **Donation 2014.14** Robert Kolbe of Sioux Falls, South Dakota donated an 8 x 10 inch cabinet card of the presidential neighborhood in Deadwood, circa 1902. **Donation 2014.15** Mrs. Kathleen Hensley of Spokane, Washington donated a Revere Eight Model 88 camera and leather carrying case. This camera was owned and used by her grandfather William McGuigan of Spearfish, South Dakota. The camera and case will be incorporated with Collection 2012.10, the William McGuigan collection.

- **Deadwood Chinatown Collection:** In August, my interns and I finished the 2002 Deadwood Chinatown field season. This constitutes 222 boxes. Once this was complete, one of my interns and I began to organize the boxes on the compactor storage units and assign box and shelf location numbers. This winter, I will begin entering this information into the Chinatown master database. This will be a long process; however, at the end of the project, we will be able search the entire archaeological collection and locate specific objects within the assemblage.
- **2014 Oral History Project:** In September, Dr. Suzanne Julin of Missoula, Montana traveled to eastern South Dakota to collect four (4) oral histories. Interviewees included Lil Stauffacher of Sioux Falls, South Dakota (longtime resident), Marie Smith of Yankton, South Dakota (longtime resident and

granddaughter of Charles Robinson), and Chief David Bald Eagle of Bridger, South Dakota (Days of 76 Celebration), and Josie Bald Eagle (Days of 76 Celebration). On September 25, 2014, I had the opportunity to accompany Dr. Julin to Bridger, South Dakota to interview the Bald Eagles. An interesting note, Marie Smith's grandfather was the Lawrence County coroner and Deadwood mortician who embalmed Martha "Calamity Jane" Burke in 1903.

- **City Research Library:** Beginning in September, my volunteers and I began the daunting task of inventorying the City's collection of reference books. The purpose of this inventory is to organize the books on the shelves and locate any misplaced materials. The City's holdings include over 939 books, periodicals, and government publications. Edits and new object ID numbers were written in the books and then updated in PastPerfect. To date, two thirds of the library has been inventoried with updated catalog numbers penciled in the cover of each book. I expect to finish this project in October.

PROJECTS

- **"Guns" videos on YouTube/Facebook Pages:** In September, the Deadwood Historic Preservation Office posted two videos focusing on the discovery and conservation of the firearms. Prior to the posting, I spent a considerable amount of time editing the videos and researching the firearms. Since their posting, the Deadwood Historic Preservation Facebook page has received a significant boost in visitation. A big thanks goes to Grant at Macrovison for his help in developing and editing the videos. The videos can be viewed at <https://www.facebook.com/deadwoodhistoricpreservation> and <http://www.youtube.com/user/deadwoodhp>.
- **Outdoor Signage at the Deadwood Rotary Park:** In September, I was asked to design an outdoor interpretive sign on the history of Rotary Park. This included researching the Deadwood Rotary Club, Rev. Lee Roy Shur Ferguson, and designing the sign template. This will be a work in progress and I hope to finish this project in November.
- **US Highway 85 Underground Utility Project:** In August, I was asked to monitor and collect any artifacts unearthed during the US Highway 85 project.
- **2014 Deadwood Wall of Fame:** In August, I wrote and submitted a press release looking for nominations for the upcoming 2014 Deadwood Wall of Fame. This press release was printed in the Rapid City Journal on August 22, 2014. On September 22, 2014 the Deadwood G.R.A.P.E. committee reviewed six applications and selected two individuals. These individuals will be recognized at the October 22, 2014 Historic Preservation Commission meeting.
- **Deadwood Firewise Project:** In August and September, Bob Nelson Jr., Ron Green and I worked on Deadwood's Firewise Project. This included several meetings to discuss proposed treatment locations and one meeting with the DOC crew bosses. It was decided that the City will apply to become a certified

and recognized Firewise Community. This will include filling out the appropriate paperwork and obtaining a wildfire risk assessment.

- **Baseball Traveling Exhibit:** As time permitted, I continued to work on the baseball traveling exhibit. This included talking with David Kemp of Sioux Falls, South Dakota and looking for newspaper articles (post 1904) focusing on Deadwood's baseball teams. An interesting note, in 1922, the Black Hills Baseball Association was formed. This contained teams from the cities of Lead, Deadwood, Custer, Rapid City, Belle Fourche, Newell, and Alladin, Wyoming.

MISCELLANEOUS ITEMS

- **25th Anniversary of Gaming in Deadwood Advertisement:** In September, I was asked to locate photographs and help develop an advertisement for the 25th anniversary of gaming in Deadwood. This advertisement will run in the Black Hills Pioneer in October.
- **Dunlop Avenue Wood Structure:** In September, I was asked to measure and record a wood structure located on the hillside between Railroad Street and Dunlop Avenue. The structure appeared to be a wood deck possibly associated with one of the houses lost during the 1970s landslide. In November, I will write up a short report and file this information in with the City's archaeological reports.
- **Gott Street Sink Hole/Storm Sewer Project:** In September, I was asked to look for any artifacts unearthed while excavating a sinkhole along Gott Street. The location of the sinkhole was near the First Ward Public School.
- **Flooring for the Archaeology Lab:** In September, I received permission to order rubberized flooring to be installed in the Archeology Lab from Hills Interiors of Belle Fourche, South Dakota. I picked the flooring up in September and it will be installed in October.
- **Harassment Training Class:** On September 9, 2014, I attended a mandatory harassment training class.

If you have any questions or would like to see what I have been working on, feel free to stop in and see me at your convenience.

Mike Runge - City Archives