



Historic Preservation Commission Meeting Minutes

Wednesday, December 28, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call Meeting to Order

A quorum present, Commission Chair Posey called the Deadwood Historic Preservation Commission meeting to order on December 28, 2022 at 5:00 p.m.

2. Roll Call

HP Commission Chair Bev Posey
HP Commission Vice Chair Leo Diede
HP Commission 2nd Vice Chair Robin Carmody
HP Commissioner Jill Weber
HP Commissioner Trevor Santochi
HP Commissioner Tony Williams
HP Commissioner Vicki Dar

City Commissioner Charlie Struble

STAFF PRESENT

Kevin Kuchenbecker, Historic Preservation Officer
Bonny Anfinson, Program Coordinator
Mike Walker, NeighborWorks Director

3. Approval of Minutes

- a. 11/22/22 Meeting Minutes

It was moved by Commissioner Weber and seconded by Commissioner Williams to approve the Minutes of November 22, 2022. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

4. Voucher Approvals

- a. HP Operating Vouchers 12/14/22

It was moved by Commissioner Williams and seconded by Commissioner Weber to approve the HP Operating Vouchers in the amount of \$186,897.68. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- b. HP Operating Vouchers 12/28/22

It was moved by Commissioner Santochi and seconded by Commissioner Dar to approve the HP Operating Vouchers in the amount of \$33,934.25. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- c. HP Grant Vouchers 12/14/22

It was moved by Commissioner Williams and seconded by Commissioner Santochi to approve the HP Grant Vouchers in the amount of \$500.71. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- d. HP Grant Voucher 12/28/22

It was moved by Commissioner Santochi and seconded by Commissioner Dar to approve the HP Grant Vouchers in the amount of \$186,897.68. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- e. HP Revolving Vouchers 12/14/22

It was moved by Commissioner Dar and seconded by Commissioner Williams to approve the HP Revolving Vouchers in the amount of \$5,148.59 Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- f. HP Revolving Loan Vouchers 12/28/22

It was moved by Commissioner Dar and seconded by Commissioner Williams to approve the HP Revolving Vouchers in the amount of \$930.00. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

5. HP Programs and Revolving Loan Program

- a. Richard Morgan - 2 Dudley - Request to Refinance

It was moved by Commissioner Dar and seconded by Commissioner Santochi to approve the request to refinance for Richard Morgan, 2 Dudley Street. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.

- b. Renew agreement with Neighborworks - Dakota Home Services for the administration of Historic Preservation revolving loan programs for 2023 in the amount not to exceed \$60,000.00.

Mr. Walker stated this is the renewal of the loan agreement to operate the Historic Preservation Revolving Loan Programs. This is for January 1, 2023 to December 31, 2023 at a cost not to exceed \$60,000. Staff is requesting the Historic Preservation Commission recommend to the City Commission the renewal of the agreement. ***It was moved by Commissioner Carmody and seconded by Commissioner Diede to recommend to the City Commission to renew the agreement with Neighborhood Housing Services of the Black Hills Inc. from January 1, 2023 to December 31, 2023 at a cost not to exceed \$60,000.00 to be paid out of the 2023 Revolving Loan Professional Services line item. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.***

- c. Acknowledgement, Georgeann Silvernail, 47 Burnham Avenue, Satisfaction of Grant

Mr. Kuchenbecker stated Georgeann Silvernail, has participated in the Elderly Resident Program. The applicant has sold the house. Because of timing with the sale and closing on the property the satisfaction has been reviewed and approved by Loan Committee. This is an acknowledgement to the Historic Preservation Commission to inform them of the approval. Action is required to satisfy the grant program and refile accordingly. ***It was moved by Commissioner Diede and seconded by Commissioner Santochi to approve the Satisfaction of Grant for Georgeann Silvernail, 47 Burnham Ave. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.***

- d. Elderly Resident Grant Request - Lynn Namminga – 12 Lincoln Ave.

Mr. Kuchenbecker stated Lynn Namminga, 12 Lincoln Avenue, has applied for the Elderly Resident Grant to replace the furnace in his house. Because of the emergency repair, staff authorized the approval of the repair before the application process is complete. The Loan Committee did give their approval. The cost to replace the furnace is \$5,324.40 and the work has been completed. ***It was moved by Commissioner Santochi and seconded by Commission Carmody to accept Lynn Namminga, 12 Lincoln Avenue, into the Elderly Resident Program. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.***

6. Old or General Business

- a. Request for Funding - 80th Annual Plains Anthropological Conference 2023 in the amount of \$1,500.00

Mr. Kuchenbecker stated the SDSHS Archaeological Research Center will be hosting the upcoming 80th annual Plains Anthropological Conference in Rapid City, October 18-21, 2023. We have sponsored several of these state conferences. ***It was moved by Commissioner Santochi and seconded by Commissioner Dar to approve sponsoring the SDSHS Archaeological Research Center Conference on October 18-21, 2023 in the amount of \$1,500.00. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.***

- b. Permission to contract with Midwest Art Conservation Center for the Poker Alice Frame Restoration at a cost not to exceed \$14,000.00. (To be paid from the 2023 HP Public Education line item.)

Mr. Kuchenbecker stated the City Archives is requesting permission to enter into a contract with Midwest Art Conservation Center to repair the plaster and wood frame on display at the Deadwood Brothel Museum. In May the frame and oil painting fell off the wall and broke into several pieces. The frame and painting are part of the Don Clowser Collection owned by the City of Deadwood and the Deadwood Historic Preservation. Based on a visual assessment by Midwest Art Conservation Center, the estimated treatment of the frame would be approximately \$14,000.00. A more solid estimate will occur upon a physical inspection. Mr. Williams stated the questions I have is this at the Brothel Museum. If this is an authentic picture and frame why wasn't this insured. Mr. Kuchenbecker stated this is part of the Clowser Collection. It is owned by the city and historic preservation. I will have to check with Finance and Deadwood History to see if it is covered under insurance. Mr.

Williams asked how it was hung on the wall. Mr. Kuchenbecker stated Mike Runge and city staff helped hang the sign. Ms. Weber stated that is what insurance is for. Commissioner Dar asked if there was history on the frame. Mr. Kuchenbecker stated this reportedly hung on the wall of one of Poker Alice's saloons and was part of the Don Clowser Collection. Mr. Clowser owned the army navy store. He was a collector of Deadwood memorabilia. Commissioner Williams stated before we pay \$14,000 for a frame that should be insured and since this was in the trust of DHI shouldn't they be going in on the cost. ***It was moved by Commissioner Williams and seconded by Commissioner Diede to continue this item to the next meeting. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Weber, Dar.***

7. New Matters Before the Deadwood Historic District Commission

a. COA 220184 - Gary King - 677 Main Street - Install accent lighting

Mr. Kuchenbecker stated this is a contributing structure located in the Deadwood City Planning Unit. The applicant requests permission to add four small blue lights to accent the front of the structure. Very discretely placed above decorative awning, hardly noticeable from the street. The electrical for the lighting will be run through conduit and attached to the decorative awning. The lights will be attached to the awnings as well. Historically, these historic buildings were not washed with artificial lighting. While staff has not been able to identify specific language to limit or control lighting within the guidelines and standards, staff is concerned with impact to residents and the eventual impact on the night skies in addition to the general overall standards of site and setting. Downlighting would be preferred. Staff did reach out to SHPO staff and in looking under the secretary of interior standards it could be considered under Setting. Identifying, retaining, and preserving building and landscape features that are important in defining the overall historic character of the setting. Such features can include circulation systems, such as roads and streets; furnishings and fixtures, such as light posts or benches; vegetation, gardens, and yards; adjacent open space, such as fields, parks, commons, or woodlands; and important views or visual relationships. With this, it is staff's opinion, as submitted, the proposed work and changes does not encroach upon, damage or destroy a historic resource nor does it have an adverse effect on the character of the building other than at night; however, if this set's precedent, it could have an adverse effect on the historic character of the local historic district, the State and National Register Historic Districts or the Deadwood National Historic Landmark District as well as the continued effect on light pollution.

Mr. Kuchenbecker stated the applicants representative Kameran Ferowkie is here to answer any questions. Chair Posey asked if this is considered setting a precedent. Mr. Kuchenbecker stated the Welcome Center is a new build and it has uplighting. Some lights are out right now because of moisture. The Holiday Inn Express has lighting at their entrance. But right on Main Street I don't think there is any uplighting like this. Commissioner Santochi said he went down main street and did not see any lights. The Franklin and Silverado have what it looks like Christmas lights. Commissioner Williams stated if the state says you are affecting the night view of the sky that is changing it. Bullock has down lighting from the top coming

down. Commission Santochi stated he is not sure what this is going to look like. I am concerned with it being a colored light. If it is something to accentuate the building that is one thing but if someone across the street decides they want to have flamingo lights on the front. More concerned with the color not the accent.

Kamran Farrokhi with Midnight Star introduced himself and thanked the commission for their consideration. The only reason we picked the blue lighting is because the Midnight Star's accent color is the light blue. It is a very soft blue. The downlighting only comes down about twenty feet. The uplighting would be the same. It would not get into the night sky. It will simply accent the building to try to draw foot traffic our way. If blue is an issue I would be happy to do it with a natural white. Commission Williams asked if they will be able to change the color. Mr. Farrokhi said they are actually a white light, and we would put a blue tent over the glass. Commission Williams stated this an old school form of lighting. Mr. Karrokhi stated they do not want to have any disagreements about the lighting with anyone across the street. Commission Santochi stated he would be OK with a soft white light. Commissioner Dar stated when this building was built there was no exterior light there. Commissioner Diede stated, where do we draw the line. Is that the Line, accent lighting? Commissioner Williams stated the Franklin has accent lights and the Bullock has down lights but do not always have them on. It is usually in a purple, green or blue. Chair Posey asked if there is a difference in up or down lighting. Mr. Kuchenbecker stated there is a difference. Part of that is the interpretation of the guidelines. The uplighting would depend on if it is shining straight up or on the structure. Mr. Farrokhi stated the lighting will be very soft and very subtle.

Commission Weber stated she feels there is already a precedent and recommends the soft white lighting. Commission Weber left the meeting at 5:29 p.m.

Commissioner Williams stated he is fine with the white lights as long as it is not overpowering. Mr. Farrokhi stated they would be willing to do the white light. Commission Santochi suggested they change the blue on top as well. Commissioner Williams stated the main point is that it is not shooting down the building and that it is all different colors. Commissioner Santochi stated he does not want to see colored lights. ***It was moved by Commission Santochi and seconded by Commissioner Carmody to approve the accent lighting as proposed but with a soft white light. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Dar.***

Commissioner Dar asked if there needs to be parameters set on what soft white light is. There could be soft white spot lights. My concern is that it is going to look out of place or modern. Chair Posey stated she feels the applicant understands what we are wanting. Commissioner Santochi stated these are businesses and they do not want a dark street. They want to be able to show the building. Mr. Kuchenbecker stated we can put together a draft of guidelines that can be looked at in the future and adopted.

- b. COA 220188 - Masonic Temple - 715 Main Street - Modifications to exterior doors

{Commissioner Williams abstained from the discussion for this agenda item as he works for the applicant.}

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 715 Main Street, a contributing structure located in Deadwood City Planning Unit. The applicant is requesting permission to modify the front doors and replace the wood panels with glass. Restore the side door and modify it to swing out per life safety requirements of IBC. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Diede and seconded by Commissioner Santochi based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant Certification of Appropriateness. Voting Yea: Posey, Diede, Carmody, Santochi, Dar. Abstain: Williams.***

- c. COA 220192 - Carolyn White - 3 Shine St - Replace windows and storm windows

Mr. Kuchenbecker stated the applicant has submitted an application for Certificate of Appropriateness for work at 3 Shine Street, a contributing structure located in Deadwood City Planning Unit. The applicant is requesting permission to install eleven wooden storm windows and nine Marvin wooden double hung windows. The storm windows will have the arched top to match the current window design. Install a fiberglass awning window at the basement recess below sidewalk grade and install a wooden screen on the exterior. Fiberglass or vinyl windows have been allowed at the basement level due to snowpack and wet conditions. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District. ***It was moved by Commissioner Santochi and seconded by Commission Diede based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and move to grant Certification of Appropriateness. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Dar.***

8. New Matters Before the Deadwood Historic Preservation Commission

- a. PA 220185 - Tyler Peterson - 137 Charles Street - Replace windows

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 137 Charles St., a non-contributing structure located in the Cleveland Planning Unit. The applicant is requesting permission to replace nine windows of the non-historic hotel with same design vinyl windows. The proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic

Landmark District. ***It was moved by Commissioner Williams and seconded by Commission Santochi based upon all the evidence presented, I find 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 move to grant a project approval. Voting Yea: Posey, Diede, Carmody, Santochi, Williams, Dar.***

9. Items from Citizens not on Agenda

(Items considered but no action will be taken at this time.)

Cara Potter gave an update on the restoration project at 152 Charles and thanked the Commission, city staff and Neighborworks for their assistance and support of this project.

10. Staff Report

(Items considered but no action will be taken at this time.)

- a. 2022 Fire History Project and Final Report - No action required

Mr. Kuchenbecker provided a brief overview of the report back from Dr. Peter Brown on the fire history project.

- b. 2023 South Dakota Governor's Conference on Tourism January 17-19, 2023

Mr. Kuchenbecker stated the Governor's Conference on Tourism is scheduled for January 17-19, 2023. The 19th is the Deadwood Day at the Capital. Let Bonny know if you want to attend.

We are fully staffed now. Lornie Stalder is Public Works, Justin Lux is Parking and Transportation and Randy Adler is Parks, Recreation and Events. They all started December 11, 2022. We are still working on job descriptions for our department which is Planning, Zoning and Historic Preservation.

11. Committee Reports

(Items considered but no action will be taken at this time.)

Commissioner Santochi is helping with the K9 Keg Pull on January 29 as a timer.

Commissioner Dar is helping with registration at the K9 Keg Pull.

- a. Executive Session for Contractual and Legal Matters per SDCL1-25-2 (2 & 3) w/ possible action

The Historic Preservation Commission adjourned at 5:55 p.m. to go into Executive Session.

Executive session adjourned at 6:10 p.m. No action taken.

Chair Posey called the meeting back to order at 6:10 p.m.

12. Adjournment

The Historic Preservation Commission Meeting adjourned at 6:11 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Minutes by Bonny Anfinson, Program Coordinator