

MINUTES  
HISTORIC PRESERVATION COMMISSION  
November 20, 2009

MEMBERS PRESENT: Duane Baumgartner, Pat Roseland, Jean Kessloff, David Viall, Michael Bender, John Wagner

OTHERS PRESENT: Keith Johnson, Malcom Chapman, Michelle Dennis, Marcia Elkins, Karen Bulman, Sharlene Mitchell

Call To Order

Viall called the meeting to order at 7:37 a.m.

Approval of Meeting Agenda

**Roseland moved, Baumgartner seconded and carried unanimously to approve the meeting agenda as presented.**

333 Sixth Street (09CM024)

Johnson presented the request to construct a transit shelter on the south side of the property located at 333 Sixth Street. Johnson indicated that the location was selected due to its proximity to the bus parking/loading area. Johnson briefly reviewed the design of the proposed shelter noting that the structure will be the same as the existing shelters throughout the City.

**Bender moved to recommend a finding that the construction of a transit shelter on the property located at 333 Sixth Street will have no adverse effect on historic property. Roseland seconded the motion.**

In response to a question from Kessloff, Johnson identified several transit shelter locations throughout the City noting that there are approximately twenty existing transit shelters. Elkins indicated that the current project will add an additional thirteen transit shelters to the system. Discussion followed regarding access to the transit structure from the main building.

**The motion to recommend a finding that the construction of a transit shelter on the property located at 333 Sixth Street will have no adverse effect on historic property carried unanimously.**

Approval of Minutes

**Bender moved, Roseland seconded and carried unanimously to approve the minutes of the October 2, 2009 meeting. Roseland moved, Baumgartner seconded and carried unanimously to approve the minutes of the November 2, 2009 meeting as corrected.**

Treasurer's Report

Bulman indicated that there were no changes to the Treasurer's report.

Grant for Individual Nomination

Baumgartner recommended that the Trinity Lutheran Church and the Jefferson School be considered for nomination noting that the structure around the Post Office has been significantly remodeled and would not be eligible for nomination.

In response to a question from Baumgartner, Dennis indicated that a park can be nominated. Baumgartner suggested nominating Canyon Lake Park noting its many historical attributes.

Bender recommended caution in nominating the park and recommended limiting the application to the WPA projects only. Bender addressed the impact nomination of the entire park would place on the City's maintenance of the facility. Discussion followed regarding the historical attributes of the Park. Bender noted the historical research completed by Wyss Associates on the park.

In response to a question from Wagner, Kessloff indicated that the Chevrolet garage is an individually listed property.

Baumgartner and Roseland indicated that a final recommendation would be presented at the December 6, 2009 meeting.

Viall requested that Baumgartner schedule a date and time when he would be available to give the Commission a tour of Canyon Lake Park.

#### Timesheets

Viall reminded the members to submit the October 2009 timesheets.

#### Barney Tour

Roseland indicated that during the tour of the Barney home it was noted that the original owner used the home as a display for his hardware business resulting in the use of different trim, door handles, etc. throughout the home.

Kessloff indicated that the front porch supports were removed from the home as they encroached into the front yard setback. In response to a question from Kessloff regarding restoration of the front porch supports, Elkins addressed the process to vacate a portion of the right-of-way. Discussion followed regarding the Barney house right-of-way encroachment.

Kessloff reminded the Commission that both the Barney and McGillycuddy homes are currently listed for sale.

#### Special Project Subcommittee

Roseland indicated that new hands have been ordered for the clock.

#### Photo Documentation Project

Bender indicated that he would photograph the First Chance-Last Chance Saloon and the Bare Foot Studio buildings.

#### West Boulevard Study Committee

Roseland indicated that the next committee meeting will be after January 1, 2010.

In response to a question from Baumgartner, Elkins indicated that there is no timeframe for implementation of the work approved under the 11.1 Review process.

#### Mt Rushmore Road Corridor

Baumgartner indicated that phase one of the project is scheduled for FY 2014 subject to approve of the Federal Highway bill. Bender expressed concern that all project design, including the streetscape, maybe completed by the South Dakota Department of Transportation in-house. Roseland indicated that Black Hills Power and Light has indicated that all power lines will be placed underground with the reconstruction. Discussion followed regarding the

proliferation of billboards along Mt. Rushmore Road and securing alternate funding resources for the proposed enhancements.

Alex Johnson Hotel

Roseland indicated that work is progressing on the restaurant area.

Dakota Middle School National Register Nomination

Elkins indicated that the State Historic Preservation Office will address the nomination at their December 10, 2009 meeting noting that the Mayor will likely request that the State Historic Preservation Office continue the nomination application to the April meeting.

Chapman requested clarification of the property owner notification process implemented by the Commission. Chapman addressed the obligation of the Commission to work with the property owner of actions such as the National Register Nomination and allow them to be actively involved in the process. Elkins indicated that she and Kessloff had met with the Facilities Committee noting that there has not been a meeting with the School Board. Elkins noted the concerns voiced by various Board members.

In response to a question from Bender, Elkins clarified that the Commission elected to shorten the submission timeframe at the October 2, 2009 meeting noting that the action to recommend meeting with the School Board was transacted at the November 6, 2009 meeting.

In response to a question from Bender, Kessloff indicated that she requested a meeting with Dr. Wharton noting that he had not contacted her to schedule an appointment. Elkins indicated that the only meeting to date has been with the Facilities Committee.

Chapman addressed the obligations and responsibilities of the Commission to involve the property owner in such actions as the nomination process to move such projects forward in a non-confrontational manner.

Viall stressed the historical significance and value of the Dakota Middle School noting the Commission's concern that the School District appeared to be moving the project forward without allowing the Commission any input on the project. Chapman indicated that he would present the Commission's concerns regarding the lack of communication between both parties at the monthly meeting with the School Board. Viall indicated that the Commission's responsibility is to protect not only the nominated structures but those structures that should be nominated.

Bender addressed the reasoning for the establishment of the Preservation Act which allows anyone to nominate a public building to determine its eligibility for protection. Bender addressed the loss of historical structures during the 1950's and 1960's to new development noting that a part of the Commission's responsibility is to protect the community's history as a whole. Bender indicated that while communication between the affect parties would be beneficial, it is not required.

Bender stated that the Commission felt the need to take immediate action to protect the structure based on the property owner's actions. Bender indicated that nomination would not stop the proposed project but would alter the manner in which the proposed changes to the structure would be transacted.

Wagner voiced support to have Chapman present the communication concerns to the School Board noting the need for both parties to communicate openly regarding the nomination project.

Elkins indicated that the public perception is that the Historic Preservation Commission is negative and obstructionist noting the strong objections voiced by property owners when advised that their project must be reviewed by the Commission. Elkins indicated that the Dakota Middle School nomination has only acerbated the situation and encouraged the Commission to work to improve their public perception.

Roseland voiced support for continuing the nomination request to the April meeting to allow the Commission and property owner to discuss the project. Roseland expressed concern with losing community support for the Commission's purpose. Elkins indicated that the Mayor will likely request that the nomination be continued.

Chapman recommended that the Commission initiate communications with organizations and entities at the onset of a nomination project to insure that they are aware of the responsibilities resulting from a nomination action.

Wagner addressed the need to identify funding resources to assist in establishing the outreach program noting that the Commission members are all volunteers funded by the Certified Local Government grant program.

Discussion followed regarding the efforts to work with the community and various individuals to protect and preserve the McGillicuddy property.

#### Adjourn

There being no further business Wagner moved, Roseland seconded and carried unanimously to adjourn the meeting at 8:23 a.m.