



**Brookings Historic Preservation Commission**

# **2006 Annual Report**

**Brookings, South Dakota**

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# **Preface**

The Brookings Historic Preservation Commission, formed in 1985, is the official representative for the city of Brookings in the National Park Service's Certified Local Government program. As outlined in program guidelines, each of South Dakota's certified local governments are required to submit an annual report to the State Historical Preservation Center and local government officials.

Anyone interested in further information about the Brookings Historic Preservation Commission or any of its projects may contact:

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This activity has been financed in part with the Federal funds from the National Park Service, U.S. Department of the Interior.

This program receives Federal Financial assistance from the National Park Service. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and South Dakota law SDCL 20-13, the State of South Dakota and U.S. Department of the Interior prohibit discrimination on the basis of race, color, creed, religion, sex, disability, ancestry or national origin. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: South Dakota Division of Human Rights, State Capital, Pierre, SD 57501, or the Office of Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20240

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# Certified Local Government

The National Historic Preservation Act established a nationwide program of financial and technical assistance to preserve historic properties -- buildings, structures, neighborhoods, and other places of importance in the historic and cultural life of the nation. A local government can participate directly in this program when the State Historic Preservation Officer certifies that the local government has established its own historic preservation commission and a program meeting Federal and State standards. A local government that receives such certification is known as a “Certified Local Government” or CLG.

State Historic Preservation Offices began certifying local governments in 1985. The Brookings Historic Preservation Commission became a member of South Dakota's certified local government program in August, 1985. Currently, every State has at least one CLG and the nationwide total exceeds 700. A major incentive of the CLG program is the pool of grant funds State Historic Preservation Offices (SHPOs) set aside to fund local historic preservation projects. CLGs are the only eligible applicants for these funds.”

The Brookings Historic Preservation Commission is committed to promoting the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city’s historical resources.

The primary activity of the Brookings certified local government is to educate citizens and city officials about historic preservation.

(Source: “Questions and Answers about CLG Grants from SHPOs”, U.S. Dept. of the Interior, NPS Cultural Resources)

# Eligible Projects

Historic Preservation Fund grants to Certified Local Governments have funded a wide variety of local historic preservation projects. Projects eligible for funding and the criteria used to select them are developed yearly by each SHPO. CLG project types that have been funded include the following:

- \* Architectural, historical, archeological surveys, and oral histories;
- \* preparation of nominations to the National Register of Historic Places;
- \* research and development of historic context information;
- \* staff work for historic preservation commissions, including designation of properties under local landmarks ordinances;
- \* writing or amending preservation ordinances;
- \* preparation of preservation plans;
- \* public information and education activities;
- \* development and publication of design guidelines;
- \* publication of historic sites inventories;
- \* preparation of zoning studies;
- \* development of slide/tape shows, videotapes;
- \* development and publication of walking/driving tours;
- \* training for commission members and staff;
- \* development of architectural drawings and specifications;
- \* preparation of facade studies or condition assessments; and
- \* rehabilitation and restoration of properties individually listed in the National Register of Historic Places or contributing to a National Register historic district.

(Source: "Questions and Answers about CLG Grants from SHPOs", U.S. Dept. of the Interior, NPS Cultural Resources)

# Funding

Funding for grants to Certified Local Governments comes from the Historic Preservation Fund (HPF), a Federal grants program appropriated by the U.S. Congress and administered by the National Park Service (NPS), which provides financial support to State Historic Preservation Offices (SHPOs) and the National Trust for Historic Preservation.

Under the provisions of the National Historic Preservation Act of 1966, as amended, SHPOs are required to award at least 10% of their annual HPF monies to CLGs in their State. As a certified local government, Brookings is eligible to compete with other local governments for a portion of the state's preservation fund share on a matching basis. These funds are designed to supplement city programs, not sustain them.

# Brookings CLG Bylaws

## ARTICLE I: Constitution

Provisions for establishment of the Brookings Historic Preservation Commission are provided in Resolution 29-85 as adopted by the Brookings City Commission on July 2, 1985 and by Ordinance 5-89 as incorporated under the laws of the State of South Dakota. Amendments to Ordinance 5-89 were adopted by the City Council with the passage of Ordinance No. 30-99 and Ordinance No. 09-03.

## ARTICLE II: Membership and Appointment

Section 1: Commission shall consist of not less than seven members nor more than 10 who shall be appointed by the City Council.

Section 2: A minimum of one of the members is to be a professional from the disciplines of paleontology, history, architecture, archeology, urban planning, or law as described in CLG requirements and state law.

Section 3: All members shall reside within the City and shall serve three (3) year terms. Each member shall be eligible for re-appointment.

Section 4: Any vacancy in the membership of the Commission shall be filled for the unexpired term in the same manner as for appointment

Section 5: In the event that a member has five consecutive unexcused absences, the member's position on the commission will be reviewed by the Mayor.

Section 6: Members of the Commission may be removed for cause following procedures established in the City Code of Ethics.

## ARTICLE III: Meetings

Section 1: The Commission shall schedule at least 12 meetings a year. Meetings may be at such times and places as may be determined by the Commission. The chair of the commission may cancel or postpone a meeting.

Section 2: A majority of the current members shall constitute a quorum for transacting the official business of the commission.

Section 3: All meetings of the Commission shall be open to the public.

Section 4: "Roberts Rules of Order" shall be the procedural manual used for the conduct of business at official meetings.

#### ARTICLE IV: Officers

Section 1: The Commission shall elect a chair and a vice-chair from its members.

Section 2: Officers shall be elected for one-year terms. They may be re-elected.

#### ARTICLE V: Authority

The actions and authority of the Brookings Historic Preservation Commission shall be as stipulated in State Law 1-19B.

#### ARTICLE VI: Purpose

Section 1: Brookings shall enforce SDCL 1-19B in order to protect our historic and prehistoric sites through our Historic Preservation Commission.

Section 2: Brookings shall conduct inventories of our historic and/or prehistoric properties using the State's survey methods and in accordance with the comprehensive historic site management plans of South Dakota.

Section 3: The Commission's major goal is to inform, educate and involve the general citizens of Brookings in historic preservation matters including the participation in local, state and national recognition of historic and prehistoric sites. Toward this goal, we will hold an historic preservation workshop for the general public yearly and members shall annually attend at least one statewide Certified Local Government workshop as required by the State.

Section 4: To assure public participation and standardization, we adopt the *Guidelines for Historic Preservation Commissions in South Dakota, Secretary of Interior Standards for Historic Preservation Projects*, the criteria for listing on the National Register of Historic Places and other

such standards and guidelines employed in Historic Preservation Commission work in South Dakota.

#### ARTICLE VII: Amendment

These bylaws may be amended or new bylaws adopted at any regular or special meeting of the Historic Preservation Commission provided members receive written notice of the proposed changes prior to the meeting.

Amended January 7, 1999  
Adopted December 3, 2003

# Brookings CLG Members

As outlined in certified local government requirements, two of the members are to be professionals from the disciplines of history, architectural history, architecture, archeology, planning, urban planning, American studies, American civilization, cultural geography, or cultural anthropology. At least three of the total membership must be non-professional members who represent a demonstrated interest, experience, or knowledge in historic preservation.

<u>Appointed</u>	<u>Member</u>	<u>Term Ends</u>
5/2003	Stephen Van Buren Archivist	1/2005 1/2005-1/2008
1/2002	Carrie Van Buren Historic Property Owner/Museum Curator	1/2005 1/2005-1/2008
4/2005	R. Wayne Hexem Historic Property Owner/Retired	1/2008*
5/2003	Richard Shillander Historic Property Owner	1/06 1/06-1/09 **
1/2006	Alice Pittman Consultant	1/2009
2/2006	Jerry McCollough Historic Property Owner/Retired	1/2009
1/2004	Mary McClure Bibby Historic Property Owner/Retired	1/2007 1/2007-2010

Shari Thornes, Brookings City Clerk

\* Completed unexpired term

\*\* off commission / resigned



# Programs & Services

## Completed & Ongoing

### **Purpose/Mission Statement**

*The Brookings Historic Preservation Commission is committed to promoting the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city's historical resources.*

### **Programs and Services**

In August 1985, the Brookings Historic Preservation Commission became a member of the Certified Local Government program, a local, state and federal partnership. The primary goal of the Certified Local Government Program, administered by the National Park Service, is to integrate local government and historic preservation. This national initiative provides valuable technical assistance and small grants to local governments. Local, state and federal law support Brookings Historic Preservation Commission activities.

To remain a Certified Local Government, the BHPC must comply with various performance measurements that include:

1. Documentation of volunteer hours contributed;
2. An ongoing survey of historic resources;
3. Enforcement of state and local preservation legislation;
4. Submission of status and completion reports on all projects;
5. Written requests for variations to funded projects;
6. The creation and implementation of a preservation plan;
7. Submission of an annual report;
8. Holding a public workshop;
9. Conducting a public education activity; and
10. Annual attendance at a state sponsored preservation workshop.

In addition, the Commission must maintain at least two professional members from the disciplines of history, architectural history, architecture, archeology, planning, urban planning, American studies, American civilization, cultural geography or cultural anthropology.

## **Promotion and Public Education:**

When local citizens and organizations are kept abreast of local preservation issues and opportunities, as well as state and national program availability, the community at large will benefit through revitalized neighborhoods and a proactive approach to long-term community preservation. Additionally, a community which has attractive, well-maintained and diverse historic properties is a likely candidate for increased heritage tourism dollars.

While some activities are targeted to residents and owners within specific Historic Districts, others are presented to the entire community. By means of radio programs, newspaper articles, community presentations and walking tours, the preservation message is often disseminated beyond city borders.



### **A. Preserve America**

- **Community Designation.** On November 9, 2005, the City of Brookings received an Award from the Advisory Council on Historic Preservation, named as one of 28 "Preserve America" communities in recognition for its dedication to protecting and celebrating community heritage. "Preserve America Communities and Neighborhoods: recognizes exceptional efforts to use cultural and natural resources to promote tourism, revitalize the community, create jobs and educate the public". Preserve America is a White House initiative to encourage and support community efforts for the preservation and enjoyment of our priceless cultural and natural heritage. The goals of the initiative include a greater shared knowledge about the Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's cultural and natural heritage assets, and support for the economic vitality of our communities.

- **Grant Award.** The 2006 Federal budget contained \$5 million for grants to support community efforts to demonstrate sustainable uses of their historic and cultural sites and the economic and educational opportunities related to heritage tourism. The program compliments the Save America's Treasures grant program by helping local communities develop sustainable resource management strategies and sound business practices for the continued preservation and use of heritage assets. Brookings has been awarded a \$54,000 Preserve America grant, with an additional \$10,000 from the South Dakota State Historic Preservation Office, for this project.
- **The Team.** The Heritage Tourism Coordinating Team will include:
  - Brookings Historic Preservation Commission
  - Downtown Brookings Inc.
  - Brookings Chamber of Commerce and Convention Visitors Bureau
  - Visitor Promotions Committee
  - South Dakota Art Museum
  - South Dakota Agricultural Heritage Museum
  - Preserve Brookings
  - South Dakota State University
  - Brookings County
  - Brookings City
  - Brookings Arts Council
  - Future Children's Museum
  - Brookings Economic Development Corporation
  - McCrory Gardens
  - Citizens

Additional partners may be identified and invited to participate in the project. The Brookings Historic Preservation Commission, as the grant originator, will act as primary lead in managing the project. Members of the team will meet monthly and coordinate all aspects of the project. Individual team members may be selected by the team to lead specific steps in the education, assessment and planning process of the project.

- **The Plan.** The Brookings Preserve America Project is based on a three-step planning process to guide our community in identifying self-sustaining ways to promote historic and cultural resources through heritage tourism. The purpose of the project is to Educate, Assess, and Plan:

Educate. Provide an understanding to leaders of both the public and private sectors of what heritage tourism can do for the economic well-being of the community.

Assess. Evaluate and assess current tourism resources and identify opportunities. Assessments include evaluation of tourism attractions, visitor services (such as hotels and signage), a retail market assessment, and current marketing programs.

Plan. Develop a comprehensive plan and strategies that enhance economic opportunities while preserving the character that makes Brookings unique. This will include step-by-step implementation strategies and action plans that detail who, what, how, and when for every plan recommendation. Recommendations will include partnership development, economic and community development strategies, a marketing theme and message, marketing strategies, tourism marketing training, promotional materials, and destination business planning.



**Photo News Release: Herseth Presents Brookings with Award for Commitment to Historic Preservation**

November 9, 2005, Washington, D.C. - Attached please find a photo of Rep. Herseth presenting the city of Brookings with an Award from the Advisory Council on Historic Preservation. Brookings has been named one of 28 "Preserve America" communities in recognition for its dedication to protecting and celebrating community heritage.

Pictured in the attached photo are Fran Mainella, Director, National Park Service, Anita McBride, Chief of Staff to First Lady Laura Bush, Brookings Mayor Scott Munstermann and Historic Preservation Commission Project Manager Shari Thornes.

**B. Promotion of Historic Districts and Properties**

**1) Commercial Historic District**

**Cooperative efforts with Downtown Brookings Incorporated, a National Main Street Program:** The BHPC has provided ongoing support to DBI after helping initiate the program in Brookings. Mary Bibby, BHPC member, served as the Commission representative on the Board. Alice Pittman was designated as the BHPC representative for 2007.

**2) Central Elementary (Central Residential Historic District)**

**"Resolution Regarding Central Elementary School"**

On December 13, 2006, the Brookings Historic Preservation Commission unanimously adopted the following resolution regarding Central Elementary School and requested it



Remove & Replace Watermain	\$206,985
Remove & Replace Sewermain	\$136,121
Remove & Replace Surfacing	\$532,518
Remove & Replace Curb & Gutter	\$ 51,567
Remove & Replace Sidewalk	\$364,580
Contingency & Engineering	<u>\$205,133</u>
Total Utility Project:	\$1,798,397

Discussion:

At this point in time it would be very difficult to meet a 2007 construction timetable, even for just the Streetscape. Some factors to consider:

- In order to begin construction on April 1st, bids should be let and a contract in place no later than Feb. 1st.
- The Master Plan we have is conceptual, in that specifics of materials, final design of intersections, street light selection and many other details are not finalized. Reaching consensus on these items will take time.
- Negotiating an architect/engineering contract and the final design and developing bid specifications would require a minimum of 150-180 days, and it should also include at least one more public meeting with property owners. A more leisurely design process would be advantageous.
- The amount of funding participation by property owners, if any, towards the cost of the streetscape, has not been determined at this time. Method of collection of these funds will require an assessment process.
- The Federal HUD grant is good until 2010, but that would mean the project should be completely done and paid for by that date. 2008 would be the preferred year to do the work, as some of it could extend into 2009 for completion.

**C. Preservation Week Activities:** National Historic Preservation Week was May 8-14, 2006. During that week the Brookings Historic Preservation Commission recognized property owners with the Mayor's Awards for Historic Preservation at the May 9th Council Meeting and a newsletter was included in issues of the Brookings Register.

**D. Annual Mayor's Awards for Historic Preservation.** The Mayor's Awards program began in 1986, to acknowledge property owners who save and maintain historical properties within the City of Brookings. During Preservation Week or Month each year, the Brookings Historic Preservation Commission in cooperation with the Mayor's Office, recognizes work which enhances properties at least 50 years of age. In 2006 three awards are being presented at the May 9th City Council Meeting:

## CAPITALINE ADVISORS LLC

111 Main Avenue

Old Chicago and Northwestern Passenger Depot



Capitaline Advisors LLC is receiving the Mayor's Award for Preservation in the category of Overall Restoration and Adaptive Reuse. This building is located in the Downtown Historic District.

The current brick structure was built in 1904 to replace the original wood frame structure, and was built at a cost of \$25,000. The depot opened for business in February 1905. Built in the Patternbook style, the depot is constructed of No. 1 Continental brick manufactured at Galesburg, IL and Kasota-cut stone. The exterior features classical detailing with Doric columns at each entrance. Early newspaper accounts report the interior colors as a "delicate shade of green and the deep rose lake."

When Mr. Ommen acquired the old depot his intention was to maintain the integrity of the building. To keep the 1905 appearance of the building windows and doors were replaced and the old freight doors were kept. The interior was also restored to as close to the 1905 appearance as could be attained. The green and copper paint colors, copper light fixtures and glowing woodwork all add to the beauty of the building. A beautiful and functional work environment was created using local craftsmen and artists, maintaining attention to detail, and having sensitivity toward the value of historic structures.

## HAGMAN'S BAKERY

307 3rd Street

Old Brookings Locker Company



Hagman's Bakery is receiving the Mayor's Award for Preservation in the category of Overall restoration. 307 3rd Street has housed a variety of businesses over the last century. In 1901, the Board of Trade Commission was at this address, in 1918 there was a Livery and Taxi service, and in 1920-21,

N. Meistrup ran a boarding house and the Sugar Bowl Restaurant.

In 1937, the Dexter Artz started the Brookings Refrigeration and Locker Company. In 1991, Artz Locker began phasing out of business. Since 1998, the site has been occupied with three other businesses. Pam and Doug Hagman have been running Hagman's Bakery from 307 3rd Street since 2005.

The Hagman's saved much of the original fabric of this 1937 building. To bring the building up to workable condition they put in many hours cleaning, they put in new flooring, updated plumbing, installed new bathrooms, and removed all the signage from the front of the building. Removal of the old signage revealed the beautiful molded concrete "Brookings Locker Co." sign embedded in the brickwork. The bakery's kitchen is located in the original locker.



The home of Terry and Annie Borns is receiving the Mayor's Award for Preservation in the category of overall restoration. This is not the first award that this property has received. Previous owner, Sandra Norlands, also received a preservation award in the 1980s. With loving care and sensitive planning, Brookings' beautiful older homes and business continue their lives as useful structures and attractive additions to the landscape.

W. H. Deeth built this home located in the University Historic District, around 1907. It is built in a vernacular Queen Anne style. Particular features that emphasize the Queen Anne style of this home include bays, gables in the roofline, sunburst designs in the gables, and a polychrome paint finish. This property is also interesting in that a claim house remains at the rear of this property!

In 2005, the Borns' completed the restoration of the foundation of the home. They lifted it up, removed the old, deteriorated foundation and replaced it with a new one. The house retained its original foot print when it was set down on the new foundation, thus preserving historically important green space and the setback giving a consistent and pleasing appearance to the neighborhood.

- E. “Picture This” Feature:** “Picture This” is the Brookings Historic Preservation Commission’s continuing public education project that is accomplished with support and sponsorship of Rude’s Home Furnishing and the Brookings Register. Each month a member of the Preservation commission wrote a brief article about an historic event, home, business, or person from Brookings. The article includes an historic photograph.
- F. Preserve Brookings:** "Preserve Brookings, a chartered nonprofit organization, launched activities in February 2005. The group is governed by a Board of Directors whose officers manage the organization's activities.

On September 15, 1997, the Brookings Historic Preservation Commission sponsored one of two facilitated Town Meetings on Preservation and Planning to gather citizen input for the development of a preservation plan. Participants ranked the creation of a local preservation organization as one of Brookings highest preservation priorities.

Over the past few years, community members continue to express a desire to be more actively involved in protecting Brookings' historic resources. The creation of a local preservation organization remains a means for many more individuals to participate in a more organized, effective, and proactive preservation campaign in Brookings. Such a group would complement and enhance the ongoing efforts of the Historic Preservation Commission.

The Brookings Historic History Preservation Commission with support from the South Dakota State Historic Preservation Office, resolved to convene a meeting of former historic Preservation Commissioners and other interested citizens to launch a private nonprofit preservation organization. The Commission identified potential participants as citizens with an expressed interest in retaining and strengthening the vitality of a broad range of Brookings's historic resources, leadership skills, and wisdom. The Commission invited these citizens to participate in a facilitated planning session to discuss the nature of a preservation organization for Brookings.

On the evening of June, 2004, citizen participants met; named a private organization - Preserve Brookings; wrote a mission, purposes, goals, guiding principles, identified resources presently in peril, and other tasks. they accomplished a great deal in a compressed time. This steering group, organized a nominating committee, who planned a first meeting for November 30, 2004. From this meeting, a group of people were targeted to be nominated for the Board of Directors.

On February 7, 2005, Preserve Brookings held their first meeting and invited potential Directors. On February 24, volunteers were sought for various positions and Preserve Brookings had elected officers and directors to fill the board.

The first annual meeting for Preserve Brookings was held June 27, 2005. A presentation by Barbara Behrends was given on historic gravesites and cemeteries in Brookings County. After the meeting, the Board of Directors received training on building an effective board." (source: [www.preservebrookings.org](http://www.preservebrookings.org) website)

**G. The George & Evelyn Norby Collection:**

In 2003 the BHPC facilitated an agreement to house the George and Evelyn Norby Historical Collection at the South Dakota State University Archives, in H.M. Briggs Library on the SDSU Campus. The a collection summary is available on the SDSU Archives & Special Collections Website: <http://lib.sdstate.edu/archives/collections.html#Norby>.

An open house was held on January 27, 2006 with over 50 in attendance.

**H. Traveling Exhibit:**

The BHPC sponsored the "Exploring South Dakota's Historic Places" 15 panel traveling exhibit in Brookings from December 4, 2006 to January 26, 2007.

**I. Animated Signs:**

The City Council was contacted by local citizens requesting a moratorium be placed on animated signs until the issue could be studied by the Planning Commission. The key issue is the appropriateness of digital animated signs in historic residential neighborhoods and historic commercial district. What triggered this request was a sign permit request made by First Lutheran Church located at the intersection of Main Avenue and 8th Street to place an animated digital sign in the yard.

BHPC involvement in the issue:

- The BHPC took an official position on the issue and provided that statement to the City Council, City Planning Commission and other key officials.
- Met with affected parties of the First Lutheran sign issue.
- Attended City Council meetings at which this issue was discussed.
- Attended Planning Commission meetings at which the issue was discussed.
- Actively sought representation on the sign subcommittee.

- Designated BHPC member Jerry McCollough to serve on the Planning Commission Sign Subcommittee to study the issue.
- Researched how other cities handle this issue.

**J. State Jurisdiction over University Properties:**

The issue came up when two small brick homes located in the 1200 block (north side) of 8th Street were demolished. The homes were owned by SDSU and were removed without a demolition permit. The City Building Department responded that SDSU was not required to get any type of permit.

BHPC member Jerry McCollough questioned if this should have taken place and can anything be done. In response, he reviewed all state laws related to the Board of Regents, state owned land, and local control and prepared a report, "Brookings, SD jurisdiction of over University Properties," dated August 8, 2006 which was submitted to the State Historic Preservation Office who turned it over the State Attorney General's Office. Roxanne Giedd, attorney from the AG's office, responded in an email on September 6, 2006, that the Board of Regents and SDSU (and all state-owned properties) are exempt from municipal zoning requirements; this is premised on state sovereign immunity. She provided a 1977 court case on a zoning issue as the basis for that decision.

McCollough also testified at a State Legislative Research Council public hearing in Brookings on September 5, 2006.

**Brookings, S.D. Jurisdiction over University Properties**  
According to South Dakota Codified Laws

(Prepared by Jerry McCollough, Historic District Commission, August 8, 2006)

Upon finding that SDSU has begun the demolition of houses within a Historic District within the city limits of Brookings, certain questions arise:

1. Must the University receive a demolition permit from the city, which would include a review by the Historic District Commission?
2. A greater question is whether the University must abide by public health, safety and welfare regulations of the city, when the proposed actions of the University might have an impact on the health, safety and welfare of those parts of the city which lie outside the boundaries of the University property; i.e., a. the character of the neighborhood, b. vehicular access to public streets, c. use, or change in capacity of such utilities as water, storm or sanitary sewer system, d. demands on fire, police and health services, and e. assurance that building construction/demolition, and engineering are consistent with local codes.

In order to address these questions a review of relevant State Statutes shows the following:

**Art. IX, 2. Home Rule** Any county or city...may provide for adoption...of a charter.  
... A chartered governmental unit may exercise any legislative power or perform any function not denied by its charter, the Constitution or the general laws of the state.

**Art. XIV, State Institutions, 3. Board to govern state educational institutions**  
**Notes of Decisions 2.** Scope of authority - Board of Regents' control over state educational institutions does not include the power of the purse, to change the character of the institutions, to create or establish schools, or to determine educational policy of South Dakota.

*[The Board of Regents' power is limited, even within the university system]*

3. Legislative regulation - Board of Regents' control over all institutions of higher learning is subject to constitutionally authorized legislative "rules and restrictions"; these "rules and restrictions"; however, must stop short of removing all power.

*[Constitutionally authorized legislative rules and regulations includes not only those relating to the university system, but also to all other legislative rules and regulations, including those powers legislatively empowering local municipalities to regulate health, safety and welfare.]*

7. Statutory provisions - Statute providing that, when Board of Regents deems dormitory and apartment housing necessary and feasible at educational institutions under Board's control, the Board may construct such buildings and issue revenue bonds involves no more than a lawful delegation of power to act according to reasonable and understandable standards in execution of broad policy written into law by Legislature.

*[The authority of the Board of Regents is limited in relation to construction, even on its own property, and only has broad authority there.]*

**5. Public Property, purchases and Contracts 5-4-9.** Improvements on tracts administered for public purposes...Permits to place improvements on such lands shall be granted in such manner as permits are granted on all leased school land and endowment lands or lands held in trust for the State of South Dakota...

*[It is clear that permits must be applied for and received prior to any construction, and by implication any demolition on State property. Such permits would be issued by the agencies established to review construction. If the land is within a municipality, the municipality.]*

5. South Dakota Building Authority - 12-8-1. - Additional powers with respect to projects under SS 5-12-8 (8) Cooperate with and exchange services, personnel and information with any federal, state, or local government agency.

*[Such cooperation would, of necessity, include notification of any proposed action, and compliance with any local regulations which govern any affects on the adjacent community.]*

**9. General Police powers and Violations 9-29-1.** Territorial jurisdiction of municipalities - Every municipality shall have power to exercise jurisdiction for all authorized purposes over all territory within the corporate limits and over any public ground or park...for the purpose of promoting the health, safety, morals and general

welfare of the community, and of enforcing its ordinances and resolutions relating thereto.

***[No exemptions mentioned over municipality's powers within its corporate limits.]***

9-30-1. Utility openings and lights in streets and alleys - Every municipality shall have power to regulate openings in streets or alleys for laying of gas mains, sewers, tunnels, and drains, and the erecting of gas or electric lights.

***[Municipal powers include approval of all curb cuts and engineering related activities.]***

9-32-9. Cisterns, hydrants, pumps, sewers, and gutters - Every municipality shall have the power to regulate the construction, repair, and uses of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

***[No exemptions are stated for regulation of these public utilities.]***

9-33-6. City building inspections and permits - Every first or second class municipality shall have the power to provide for the inspection of buildings and the issuance of building permits and fix the fees thereof.

***[No exemptions are stated for any other governmental entity. See also 11-10-2, Application of model code - exceptions. State property is not mentioned.]***

**11-4 Municipal Planning and Zoning** 11-4-1. Regulatory powers of municipality - For the purpose of promoting the health, safety, or general welfare of the community the governing body of any municipality may regulate and restrict the height [etc.]...of buildings and other structures...

Notes of decisions: 5. Board of Regents' property - Board of Regents' property is not subject to local zoning ordinances, since suit for enforcement thereof would be prohibited by state immunity doctrine. Op. Atty. Gen. Opinion No. 7-13, 1977WL 35951.

***[This exception was narrow, and did not include other municipal enforcement functions.]***

**Conclusion** - According to the State Statutes stated above, the only police power of the municipality from which the University is specifically exempt is zoning. All other health, safety, moral and welfare powers of the city are enforceable, including those relating to building, demolition, engineering, utilities, access to streets (curb cuts) and Historic Preservation review.

McCullough said the state's position is a private party can't sue the state; however, we're a governmental agency. In his opinion the Board of Regents has limited authority. This issue is a building ordinance issue and not zoning. Issues related to land should be handled by the commissioner responsible for all state-owned lands. Unless the Board of Regents can prove these houses removal is directly related to education, the state should have to cooperate with local governmental entities and follow the permitting process. A further remedy is the Commission of Intergovernmental Relations as an arbiter. There was a question if this Commission still exists.

SDSU Board of Regents authority further described

From: Jerry McCollough, member Brookings Historical Commission  
Date: September 26, 2006

In a further review of State Statutes following the preparation of my Aug. 8 report to you, I have found information which further clarifies the Board of Regents' authority vis-à-vis cooperation with the City of Brookings regarding construction/demolition of properties:

- A. The Attorney General did not address the question which was presented to him; rather, he copied the 1977 opinion written by the then Attorney General, William Janklow. That opinion describes "oranges" to our question of "apples". The 1977 decision related to a zoning question which could only be resolved through lawsuit, using as examples lawsuits from other states between private parties and governmental units. (The Board of Regents was exempted from zoning requirements for the specific reason that it couldn't be sued.) When dealing with two governmental entities, the rules are not the same.

The question at hand deals with construction/demolition permitting (not part of zoning law), and is an issue which can be resolved through (state mandated) mutual cooperation between the State and local governmental units.

- B. Cooperation, as listed in my previous report, is stated in **SS 12-8-1 (8)** "Cooperate with...any federal, state or local governmental agency." To prove that cooperation between local and state agencies isn't a minor issue, there is **SS 2-9-25 Commission on Intergovernmental Cooperation...** "...established to...confer with officials of other states, the federal government, and local units of government, to ...encourage and promote cooperation between...local governments in this state and the State government."
- C. As a general rule **SS 5-1** places all state owned property under the control of the **Dept. of School and Public Lands**, administered by the Commissioner of School and Public Lands. **5-1-7** "The commissioner...shall have the direction, management, and control of all lands heretofore granted to this state...and the disposition thereof."

Under **SS 5-2-2.1 Sale of realty by Board of Regents**, (a subsection under the authority of the Dept. of School and Public Lands) it states that "The Board of Regents...may sell extraneous real property subject to..." (the rules of the Dept. of Schools and Public Lands). This is one of the few "constitutionally authorized legislative 'rules and restrictions' " (see **Art. XIV 3-2-3**, in my previous report) granted to the Board of Regents, and provides them with limited authority in relation to State lands.

- D. **SS 13-49 State Board of Regents** states that they may manage their lands "According to the purposes for which they were established." Those purposes are defined in **SS 13-58-1 South Dakota State University, Name and Location – Control of Regents – Programs and Instruction** states, "...South Dakota State University... shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in ...(list) and other courses or programs as the Board of Regents may determine." Clearly, their purpose and authority is defined as primarily instructional, not the management of land and buildings, except as they relate directly to the primary purpose.
- E. Even though the Board of Regents may argue that the demolition of buildings on State land relates to SDSU educational purposes, it is clear from **SS 5-4-7**, that even the Commissioner of School and Public Lands (under which the Board of Regents is subsidiary) has the intent of cooperation with local governments. This section states, "Purposes for which (state) land may be placed under local administration... Whenever it shall be the opinion of the

Commissioner... he shall, if in his opinion the interests of the citizens of the community can best be served, provide...for soil conservation purposes, public parks or for the purposes of providing a children's recreational playground...". The Statutes recognize that there are instances where the State interests may best be sublimated to those of the locality to serve the greater public purpose.

In Summary, State Law intends for there to be cooperation between State and local governmental entities, and established the Statutes in a fashion that provides for dialogue between the State and the municipality relating to physical changes on State property. That dialogue would normally be between the Commissioner of Schools and Public Lands and the City of Brookings unless the Board of Regents could prove to the Commissioner's satisfaction that the proposed change is directly related to their instructional programs. If so, then the Board of Regents would need to discuss with the city issues relating to: building demolition permits, engineering (affects on utilities, access, drainage, foreign materials on roadways tracked there by construction vehicles), public safety (blocking or rerouting of traffic, disruption of fire hydrants, etc.), and Historic Preservation if applicable.

If, in the discussions between the Board of Regents and the City, there is an impasse, the issue can be brought before the Commission on Intergovernmental Cooperation to act as an arbitrator. A lawsuit is not necessary to resolve the issue; therefore, the conclusion reached by the courts in the 1977 zoning decision is not applicable.

**BHPC planned next steps include:**

- Request a meeting with the City Manager and City Attorney to brief them on the issue and request the City Attorney prepare an opinion. They will be advised that the purpose of the meeting will be a discussion of state law regarding the allocation of powers between the City and SDSU noting that the discussion was stimulated by a historic district issue.
- Contact a National Trust Attorney to obtain their opinion on the issue.

**K. Most Endangered Properties Program:**

The BHPC discussed the creation of a "Most Endangered Places List" for Brookings. The List would be similar to that of the National Trust's "America's 11 Most Endangered Historic Places" list. There was consensus to develop an annual list soliciting nominations from the community, DBI, Preserve Brookings, and others. The list would serve as a public education tool to let people know what is endangered. Learning more about the city's and SDSU's future plans may be helpful in identifying historic resources that could be impacted.

**Technical Assistance**

Staff and State and National preservation office personnel are primarily responsible for answering property owner tax project and eligibility questions, as well as conducting site visits at the request of the property owners. When state or national preservation office staff are in

Brookings, as many site visits and consultations as possible are scheduled, to maximize benefits from the visit. Commissioners accompany the site visits, as observers and for their education, but do not offer tax project advice. Commissioners provide grant writing and application assistance, deliver Welcome Packets, and prepare and present briefings to the City Manager, elected officials, and other city officials.

The technical assistance services provided directly benefit local property owners by answering their preservation-related questions, providing alternative options if applicable, and affording them free, ongoing expert advice. Informed property owners are more likely to use all of their options in maintaining their own historic properties, frequently purchase and rehabilitate additional historic properties, and often let other historic property owners know of the services available, continuing the preservation cycle. In 2005, the following technical assistance services are provided:

- ❑ Served on the Brookings Downtown, Inc. Board of Directors (Commission)
- ❑ Researched possible funding sources (Commission/Staff)
- ❑ Assisted property owners on local, state and federal benefits (Staff)
- ❑ Facilitated and accompanied site visits with state and national preservation personnel and property owners to answer technical assistance questions (Staff)
- ❑ Facilitated securing preservation consultants for community projects (Commission/Staff)
- ❑ Prepared and delivered Welcome Packets for new owners of historic properties (prepared by Staff and delivered by Commission)
- ❑ Responded to realtor inquiries regarding tax benefits (Staff)
- ❑ Provided materials and informational briefings to City Manager and other city officials (Commission/Staff)

## **Continuing Education**

### **A. Attend mandatory annual state training sessions:**

- 1) SD State Historical Society
  - Location: Pierre, SD
  - Date: March 30 - April 1, 2006
  - Attending: Carrie Van Buren
  
- 2) SHPO Sponsored Federal 106 Training \*\*
  - Location: Brookings, SD
  - Date: May 3, 2006
  - Attending: Stephen Van Buren

\*\* BHPC Co-sponsored

- 3) SHPO Training - Board Members
  - Location: Brookings, SD
  - Date: May 18, 2006
  - Attending BHPC members & staff
  
- 4) Preservation Leadership Training
  - Location: Nebraska City, NE
  - Date: June 10-17, 2006
  - Attending: Stephen Van Buren
  - Written reports to be submitted with final grant submittal
  
- 5) National Alliance of Preservation Commissions
  - Location: Baltimore, MD
  - Date: July 27 - 30, 2006
  - Attending: Richard Shillander and Alice Pittman
  - Written reports to be submitted with final grant submittal
  
- 6) National Trust for Historic Preservation Conference
  - Location: Pittsburgh, PA
  - Date: October 31 - November 5, 2006
  - Attending: Jerry McCollough & Stephen Van Buren
  - Written reports to be submitted with final grant submittal

**B. Ongoing professional and technical training through materials, video, etc.**

**C. Membership to preservation organization**

- State Historical Society
- Preservation South Dakota
- National Trust for Historic Preservation
- National Main Street organization
- National Alliance of Preservation Commissions
- Preservation Law Forum

### **Historic Resources: Recordation and Preservation**

This program consists of photographic, written and computerized recordation of historic sites and properties, primarily by commission members with assistance from volunteer community

members and city staff. Larger documentation projects may also involve professional consultants. As a long-term benefit, this program provides a permanent record of our community's resources for future generations. It also assists in research projects and future restoration projects. Former and current community residents and/or their relatives, future residents and generations, state and national archives, state and local elected officials, community leaders and organizations, and city officials all are served by this program.

**A. SDCL 1-19A-11.1 Review documentation as required by the State Preservation Office on threatened properties:**

**South Dakota Codified Law 1-19-A-11.1**

**Preservation of Historic Property – Procedures.** *“The state or any political subdivision of the state, or any instrumentality thereof, may not undertake any project 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 until the Office of History has been given notice and an opportunity to investigate and comment on the proposed project. The office may solicit the advice and recommendations of the board with respect to such project and may direct a public hearing be held thereon. If the office determines that the proposed project will encroach upon, damage or destroy any historic property which is included in the National Register of Historic Places or the State Register of Historic Places or the environs of such property, the project may not proceed until:*

- 1) The Governor, in the case of a project of the state or an instrumentality thereof or the governing body of the political subdivision has made a written determination, based upon the consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to the historic property, resulting from such use; and
- 2) Ten day's notice of the determination has been given, by certified mail, to the office of history. A complete record of factors considered shall be included with such notice.

Any person aggrieved by the determination of the Governor or governing body may appeal the decision pursuant to the provisions of chapter 1-26.

The failure of the office to initiate an investigation of any proposed project within 30 days from the date of receipt of notice thereof is approval of the project.

Any project subject to a federal historic preservation review need not be reviewed pursuant to this section.”

**Opinions of the Attorney General**

*A city government must comply with this section even when its only involvement with the demolition of a private historical structure is the issuance of a demolition permit, Opinion No. 89-41.*

*Given the absence of other legislative or judicial guidance on this subject, the provisions of this section shall apply to the issuance of a permit by a city affecting a designated historic district, Opinion No. 89-41.*

### **11.1 Reviews in 2006:**

Date: December 5, 2005  
NR Status: Central District  
Address: 615 Fifth Street, 517 and 521 Seventh Avenue  
Owner: First United Methodist Church  
Outcome: Case Report Required -2/24/06

#### **Property Description:**

615 Fifth Street, Selma Wetterburg House, is a 1-1/2 story stucco residential structure built in 1943 with Tudor elements, primarily the gabled entry with one side extending longer than the other, and three-over-one windows. The garage on the lot is of frame construction. They have been determined by the SHPO to be contributing structures in the Central Historic Residential District. Structurally, the house was found to be in good condition and movable to another location. A more detailed structural review was not necessary.

517 Seventh Avenue, C.M. Fassett House, is a 1-1/2 story residential structure built in 1915. No definitive style - hipped roof, front entry with hipped roof protrudes from east elevation (front), gable dormer above entry, and one-over-one windows on each side of the entry. The house is listed as non-contributing in the District. A tour of the structure found it to be in good condition. No notable original interior features were found. Structurally, the house was found to be in good condition and movable to another location. A more detailed structural review was not necessary.

521 Seventh Avenue, Ed Wing House, is a two story Foursquare built in 1919 with pyramidal roof, enclosed 1-story front porch with hipped roof, and one-over-one windows. The house is listed as non-contributing to the District. However, after an interior tour, it was found to be in excellent condition with several original architectural/decorative features still intact to include original finish oak woodwork, two sets of "column" room dividers, a built-in arts and crafts style china hutch, and two leaded glass windows. Structurally, the house was found to be in good condition and movable to another location. A more detailed structural review was not necessary.

Date: February 27, 2006  
NR Status: Contributing districts  
Address: Central Residential Historic District & University Residential Historic District  
Owner: Brookings Municipal Utilities (public right-of-way impact)  
Outcome: Case Report Required

Date: December 13, 2006  
NR Status: non-contributing / Central Residential Historic District  
Address: Former Harvest Church - 310 7th Avenue  
Owner: Brookings County  
Outcome: See statement below

BHPC: The following official comment was unanimously adopted by the Commission: " The Commission voted to agree with the findings of the case report contingent upon the following:

- 1) The County use Parking Lot Plan #2 with access off the alley with 90 degree spaces. Signage should direct people to access and exit the lot from 7th Avenue. Signage should encourage exiting back to the west and not through the residential alley.
- 2) Only 50% or less of the land should be paved and the remainder consist of appropriate residential landscaping. Installing a hedge along the west perimeter of the lot similar to the property to the north was suggested. This would provide continuity with the residential area and further screen the hard surface parking.
- 3) The Commission is supportive of this request based on the above listed conditions, but officially expressed concern that no further residential structures be removed in the vicinity because of the threat to the integrity of the adjacent neighborhood."

*NOTE: The City of Brookings internal I.I.I review process is provided in the appendices.*

# Public Education Program

The Brookings Historic Preservation Commission is the city's official representative in the Certified Local Government program of the National Park Service. The primary purpose of the CLG is to inform, educate and involve the general citizens in historic preservation matters. This report outlines the methods in which the Brookings Historic Preservation Commission will meet this requirement.

## Public Education

- A. The purpose of the program is to increase the historic preservation awareness, education, and involvement of all Brookings residents.
- B. A current public education program will be outlined in all funding applications of the Historic Preservation Commission.
- C. Each year, the Brookings CLG public education program will include the following:
  - 1) An annual report of the Brookings Historic Preservation Commission.
  - 2) An educational/informative preservation workshop for the general public.
  - 3) A public recognition of the preservation efforts of local citizens with the Mayor's Awards program.
  - 4) Printing and distribution of brochure(s) that describe the historic resources in Brookings.
  - 5) Media information about all activities of the Historic Preservation Commission.
  - 6) Information about the Brookings Historic Preservation Commission and its programs on the City of Brookings website.

## Advisory Role

- A. To provide information on the historical significance of local cultural resources to the City Manager, City Council, County Commission, Planning Commission and other city boards and commissions.
- B. To promote the protection of endangered sites to local governmental bodies.
- C. To participate in planning processes of the City.

# 2007 Outreach Outline

The Brookings Historic Preservation Commission is committed to promoting the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city's historical resources.

## **PURPOSE:**

### **To Preserve, Promote and Develop the Historic Resources of the City.**

In 1989, the city of Brookings adopted a historic preservation ordinance, Ordinance 5-89, which established the Commission's purpose to allow the city to engage in a comprehensive program of historic preservation to promote the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city's historic resources. Ordinance No. 09-03 amending the original ordinance was adopted by the City Council on April 22, 2003.

## **Mission Statement**

The Brookings Historic Preservation Commission is committed to promoting the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city's historic resources.

## **PROGRAMS AND SERVICES:**

### **I. Historic Resources Recordation and Preservation**

- A. National Register of Historic Places listings
    - Consider additional individual properties and districts for designation \*
      - Pioneer Park Bandshell (State Register of Historic Places)
  - B. National Register Computer Database
    - Expand as appropriate \*
  - C. Case report documentation as required by State on threatened properties
  - D. Photographic recordation
- (\* if state funding allocation permits)

This program consists of photographic, written and computerized recordation of historic sites and properties, completed primarily by commission members with assistance from volunteer community members and city staff. Larger documentation projects also involve professional consultants. As a long-term benefit, this program provides a permanent record of our community's resources for future generations. It also assists in research projects and future

restoration projects. Former and current community residents and/or their relatives, future residents and generations, state and national archives, state and local elected officials, community leaders and organizations, and city officials all are served by this program.

The BHPC creates twelve “Picture This” newspaper column pieces (Commission/Staff); develops routes and assists with the script for the annual Preservation Week Walking Tour (Commission/Staff/Community Volunteers); presents preservation-related information at community meetings, hearings and forums (Commission); and develops workshop programs (Commission/Staff).

This program has immediate benefits, as well as long term ramifications. When recordation is complete, accurate and in place, additional research is rarely needed when an inquiry comes in, allowing the Commission and staff to respond in a timely and helpful manner. Likewise, when positive preservation related articles and workshops are offered to the public, the benefits and tools of preservation can be offered in a free, user-friendly format.

## **2. Historic Resources Promotion, Public Education and Advocacy**

### **A. Promotion of National Register of Historic Districts and Properties**

#### **1) Commercial Historic District:**

- a) Continue involvement with Downtown Brookings, Inc. (DBI)
  - 1) Maintain voting position on DBI Board of Directors (Commission)
  - 2) Pursue position on DBI Design Committee (Commission/Staff)
  - 3) Maintain National Main Street Program membership
- b) Update and reprint Walking Tour Brochure (Commission/Staff)\*

#### **2) University Residential Historic District**

- Promote Walking Tour Brochure (Commission/Staff)

#### **3) Central Residential Historic District**

#### **4) Sexauer Seed Company Historic District**

#### **5) Individually Eligible Properties**

- At their request, assist owners of eligible properties in obtaining necessary documentation, and preparing applications (Commission/Staff)

#### **6) Potential Future Designations \***

- Update National register nominations for the Central and Commercial Districts (State/Staff/Commission)
- Amend University District boundary to incorporate additional historic resources (State/Staff/Commission)
- Nominate additional properties within existing historic districts as they come of age (Homeowners/Commission/Staff)

- Provide workshops and educational opportunities on methods of restoring eligibility (Commission/Staff)
- 7) Threatened Properties
- If appropriate, nominate properties to the State or Federal “Places in Peril” list (Commission/Staff)
  - Write “Speak Out” Columns (Commission Chair)
  - Participate in public forums (Commission)
  - When requested, provide information on grant possibilities, and assistance with application process (Commission/Staff)
  - Develop and publicize new "Endangered Places List"
- B. Local Register Properties and Districts
- 1) Educate Commission members on Local Register ordinance requirements and process
  - 2) Develop internal procedures to respond to citizen-requested individual and district nominations to the local register
  - 3) Develop materials to educate the public on the Brookings Local Register Program
- C. Community presentations (Commission)
- D. Workshops (one workshop per year is required) (Commission/Staff)\*
- April 28, 2007 - Co-sponsoring workshop with Downtown Brookings Inc. during their annual "Door's Open" event at the Park & Recreation Building. Topic of the workshop will be historically accurate gardening for historic homes.
- E. Annual Mayor’s Awards for Historic Preservation (Commission/Mayor’s Office/Staff)
- Presentation scheduled for Tuesday, May 8, 2007 during the City Council meeting. Winners will also be featured in the newsletter.
- F. Preservation Week Activities\*
- These activities vary slightly from year to year, depending upon the dates and theme selected by the National Trust, the activities that are fundable through the State Historic Preservation Office, and the availability of Commissioners and staff. Preservation week activities often spread over a full month and can involve the Mayor’s Awards, a guided Walking Tour, Publicity Releases, Radio program participation, Mayoral Proclamation, and Workshops (Commission/Staff).

- G. Walking Tour Brochures \*
  - Reprint and update existing brochures as supplies diminish
  - Hosting walking tour as program for University Week for Women on June 14, 2007.
- H. Signage
  - Maintain district street signage
  - Assist with individually listed property plaques as requested (Commission/Staff)
  - Install *Preserve America Community* signage.
- I. Newsletter to historic property owners and the public (Commission/Staff)\*
  - Scheduled for week of May 1, 2007 to a circulation of 5,400 in the local newspaper.
- J. Review Preservation Plan on an ongoing basis and report progress to City Manager
- K. Develop BHPC web pages on cityofbrookings.org site (Commission/Staff)
  - The website will be completely redone by summer of 2007.
- L. Heritage Tourism
  - Creation of a Heritage Tourism Plan through Preserve America funding.
  - Expand partnership with Convention and Visitor's Bureau, SDSU, SDSU Foundation, Downtown Brookings, Inc., Swiftel Center, BEDC, and Convention Visitor's Bureau (Commission)
- M. Supplemental Funds Project to be determined when state criteria and priorities are established, generally March 2007 for June 2007 funds awards. (Staff/Commission)\*
- N. Welcome Packets (containing historic district information, tax incentives available, newsletter, etc.) for new historic property owners (hand delivered by Commission)
- O. Participation in the conduct of land use, urban renewal and other planning processes undertaken by the city.
  - 1) City Planning Commission Interaction/Involvement
    - Continue to work with City Planning Commission and city officials to develop guidelines for Preservation Commission awareness in matters of zoning, building permits and notification.
  - 2) City Building Officials

- Research options, initiate dialogue, and if appropriate, propose city adoption of a preservation-friendly building code such as the Uniform Code for Building Conservation (UCBC) or “Smart Codes” that include special provisions for rehabilitation of historic buildings.
- 3) SDSU Interaction and Involvement
- Pursue a collaborative, proactive relationship with SDSU to facilitate identification and preservation of SDSU’s historic resources.  
(Commission/Staff)  
\*if state funding allocation permits

We anticipate the program goals will be accomplished as in the past year, with commission members accomplishing such things as: attending community forums, providing educational presentations, participating in broadcasts promoting preservation related activities, writing a monthly ‘Picture This’ column, submitting Speak Out columns on current preservation issues, developing and facilitating an annual Walking Tour, selecting the annual recipients of the Mayor’s Awards for Historic Preservation.

When local citizens and organizations are kept abreast of local preservation issues and opportunities, as well as state and national program availability, the community at large will benefit through revitalized neighborhoods and a proactive approach to long-term community preservation. A community that has attractive, well-maintained, diverse historic properties is a likely candidate for increased heritage tourism dollars.

While some activities are targeted to residents and owners within specific Historic Districts, others are presented to the entire community. An additional benefit occurs with the radio programs newspaper articles, community presentations and walking tours.

The availability of a variety of relevant preservation related programs provides the commissions and staff with the flexibility of multiple approaches when planning for and providing the historic promotional and educational opportunities required fulfilling their local and state preservation obligations.

### **3. Technical and Funding Resources:**

- A. Advise property owners within Brookings city limits on local, state and federal benefits (Staff)
- B. When requested, advise property owners in the Brookings area on local, state and federal benefits and facilitate site visits with state personnel and property owners to answer technical assistance questions. (Staff)

- C. Accompany site visits with state preservation personnel and property owners to answer technical assistance questions. (Staff)
- D. Facilitate securing preservation consultants for community projects. (Commission)
- E. Provide Welcome Packets for new owners of historic properties. (Commission)
- F. Respond to realtor inquiries regarding tax benefits. (Staff)
- G. Disseminate material and provide ongoing updates to City Manager and other city officials. (Commission/Staff)
- H. Work with Downtown Brookings, Inc. Board of Directors. (Commission/Staff)
- I. Research possible funding sources. (Commission)
- J. Continue to pursue the creation of a local revolving loan fund for historic preservation as identified in the 1999 Preservation Plan. Participate in the decision making process of funding applications.

Staff and State Historic Preservation Office personnel are primarily responsible for answering property owner tax project and eligibility questions, as well as conducting site visits at the request of historic property owners. Commissioners deliver Welcome Packets to new property owners, and prepare and present briefings to the City Manager, elected officials, and other city officials.

The technical assistance services directly benefit local property owners by answering their preservation-related questions, providing alternative options if applicable, and affording them ongoing expert advice. Informed property owners are more likely to use all of their options in maintaining their own historic properties, purchase and rehabilitate additional historic properties, and let other historic property owners know of the services available, thus promoting neighborhood stability.

#### **4. Commission Development**

- A. Attend mandatory annual state training sessions. (Commission/Staff)
- B. Attend bi-annual National Alliance of Preservation Commissions Conference. (Commission/Staff)\*
- C. Participate in new member orientation process. (Commission/Staff)
- D. Seek ongoing professional and technical training through professional publications, preservation related materials, video, etc. (Commission/Staff)
- E. Maintain enrollment as members of preservation organizations \* (State Historical Society, Preserve SD, National Trust for Historic Preservation, National Main Street Organization, National Alliance of Preservation Commissions, Preservation Law Forum). Seek ways to share professional journals and other materials with city officials, community attorneys and interested citizens. (Commission)

F. Conduct training for commission members on amended historic preservation ordinance and the local register process.

G. Send one member per year to National Trust sponsored Preservation Leadership Training (PLT Bootcamp).

\*if state funding allocation permits

**SOURCE OF FUNDS:**

<b>Amount</b>	<b>Source</b>	<b>Fiscal Year</b>
\$3,600	City Funds	January 1, 2007 – December 31, 2007
\$19,941	2006/2007 State Allocation	June 1, 2006 – May 31, 2007
\$54,000	Preserve America	November 1, 2006 - November 1, 2008
\$ _____	2007/2008 State Allocation	June 1, 2007 - May 31, 2008

- State Allocation funding criteria and priorities generally will be published in March 2007 with funding awarded in June 2007.

**DEPARTMENTAL GOALS & RELATIONSHIP TO CITY GOALS & VALUES:**

City Ordinance 09-03: "...The Brookings Historic Preservation Commission is committed to promoting the inspiration, pleasure and enrichment of the citizens of Brookings through the identification, documentation, preservation, promotion and development of the city's historical resources..."

As a result of a community-based planning process, the Brookings Historic Preservation Plan was developed and subsequently adopted by the Brookings City Council on March 12, 2001. The Plan outlines a proactive means of planning for our community's unique character and a means to protect, promote and develop our historic resources. It describes why preservation is important to Brookings, and identifies those elements of the built and natural environment which merit preservation, promotion and protection. Using the Plan as a proactive planning resource, the Preservation Commission members are able to consistently establish priorities before issues arise, efficiently and logically make use of volunteer time and city funds, expedite decision-making and listen attentively to citizens without speculation about grassroots opinions.

# Statement of Goals & Objectives for 2007

## Promote the Understanding that Preservation is Progress

### **GOALS & OBJECTIVES FOR 2007:**

- Implement procedures to comply with the amended Brookings historic preservation ordinance.
- Continue to work with City Planning Commission and city officials to develop guidelines for preservation commission awareness in matters of zoning, building permits and timely notification.
- Actively seek participation in any ad hoc or subcommittees established by the local governing body that affect preservation issues or resources.
- Serve as a conduit for state and national preservation entities to provide technical assistance and referral to property owners in the community.
- Continue public awareness campaign through a variety of projects to include newsletters, welcome packets, newspaper features, exhibits, newspaper columns, radio segments and workshops.
- Continue to monitor potential changes with any historic resources within Brookings city limits, including the SDSU campus.
- Pursue a collaborative, proactive relationship with SDSU to facilitate identification and preservation of SDSU's historic resources.
- Continue to pursue and develop effective communication with local, state and national preservation organizations.
- Continue to pursue the creation of a local revolving loan fund for residential historic preservation and participate in the decision making process of funding applications.
- Working with area preservation stakeholders, develop a comprehensive heritage tourism plan for the City of Brookings.
- Develop the "Endangered Places List" for the City of Brookings to promote awareness about threatened historic resources.

# Appendices

**Brookings Historic Preservation Commission  
January 19, 2006 (corrected)**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, January 19, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Stephen Van Buren, and Richard Shillander. Shari Thornes, City Clerk, was also present.

Vice Chairman Carrie Van Buren called the meeting to order at 5:00 p.m.

**Agenda.** A motion was made S. Van Buren, seconded by Bibby, to approve the agenda. All present voted yes; motion carried.

**Minutes.** A motion was made by Bibby, seconded by Shillander, to approve the December 1, 2005 minutes. All present voted yes; motion carried.

**Next meeting. Wednesday, February 15<sup>th</sup> at 5:00 p.m.**

**Calendar:**

- January 27<sup>th</sup> – Norby Collection Open House
- February 10<sup>th</sup> – Preserve America Forum
- February 15<sup>th</sup> – City Annual Reports Due

**Nominating Committee Report & Election of Officers.** Shillander and Bibby presented Carrie Van Buren as Chair and Wayne Hexem as Vice Chair for the 2006 officer slate. A motion was made by Bibby, seconded by S. VanBuren, that the slate of officers be approved by unanimous consent. All present voted yes; motion carried.

**Preserve America Grant Application.**

- ***Grant Application.*** Thornes reported that the grant application was completed by the subcommittee noting that Doris Roden, DBI Director, wrote the majority of the grant to develop an overall heritage tourism plan for the city. The plan would identify how each entity fits into the overall tourism plan. There are many different plans; however, none are coordinated. The amount requested was \$84,700 for a total project cost of \$170,368. The city portion of the grant will be in-kind funds. The city received email confirmation of the grant request. A decision on grant awards will be made early spring 2006. Thornes noted that if the city receives the funding, a new committee made up of all the entities will be needed to oversee the grant project.

- **Preserve America Forum.** Thornes reported on a Preserve America Communities Forum scheduled at the end of the Colorado Historic Preservation Conference in Denver on February 10<sup>th</sup>. The conference is scheduled February 6-10. SHPO indicated that additional grant funds would be available if the BHPC wished to send a representative. The consensus of the Commission was to wait for another session after the grant award is announced.
- **Preserve America Signs.** Thornes presented an official *Preserve America Community Sign* that was provided to the city. The sign is 24x36, metal, with the multi-color P.A. logo. Additional signs are available from suggested dealers at a cost of \$150.00. The group discussed the following possible locations – north and southbound on the interstate, Highway 14 both directions and South Main. Thornes will obtain 4 additional signs and meet with the City Engineer to identify locations.

### **2005 Annual Report(s).**

The Commission's 2005 Annual Report to the City is due February 15<sup>th</sup>. The report to the State is due in February. Van Buren will contact John Ruffalo to see if he would write a short summary on Preserve Brookings activities in 2005. A report on the Portland conference should also be included.

**Governor's Award for History.** Nominations for the Governor's Award for History are due by February 6<sup>th</sup>. The Commission recommended nominating Pat Fishback for an "individual" award. There was concern that a nomination could not be completed in the short timeline. Shillander offered to contact former BHPC members Gloria Kloster and Mark Kelsey regarding application details. There was consensus that if the information was not gathered by the time Thornes left on January 27<sup>th</sup>, the nomination would be held until 2007.

**Board Training.** Thornes contacted SHPO staff about providing on-site training for the new and existing commission members. They are available to come at a time most convenient for the Commission. Thornes will contact SHPO about available dates in February and then staff will contact BHPC members about their availability. There was consensus to hold the training late afternoon on a weekday.

### **Central Residential Historic District—National Register District:**

- **Methodist Church II.I Review** – Thornes said the Methodist Church made application to remove three houses adjacent to the Church in 2001. Notification was sent to SHPO at that time and a case report was required. However, due to that fact that the houses weren't scheduled to be removed for 3 plus years. Completion of the case report was to occur when an actual date was determined. Thornes was recently contacted by a church

representative. She will need to prepare a case report and present it to the BHPC for comment. This process could take a few months. The Church plans to remove the houses this summer.

### **Commercial District –National Register District:**

- *Downtown Brookings Inc. (DBI Board Report)*- In December Fishback commented that DBI asked if a member of the BHPC would be interested in serving on the committee as a way to connect with the DBI; however, no action was taken at that time. Thornes had been contacted by Doris Roden in January making the same request. Bibby agreed to attend as the BHPC representative. She will notify the Commission if she can not attend so another person can go in her place. It was noted ex-officio members didn't always receive all the DBI board information. Ex-officios are supposed to get the same information as voting board members.

### **University Residential District –National Register District:**

- Richard Shillander expressed concern about a house located on 9th Avenue between 7<sup>th</sup> & 8<sup>th</sup> Streets. He further expressed concern about the condition of the University neighborhood, primarily due to absentee landlords. He invited members to drive the area with him. Members questioned if this was due to not enforcing the city maintenance ordinance. The ordinance may be complaint-driven. Shillander suggested writing letters to the landlords about the condition of their properties.

### **City Clerk's Report:**

- *Transformers* – A letter regarding the utility transformers in the historic districts was sent to the director of the Brookings Municipal Utilities company. No response has been received. Thornes will also provide a copy to the City Attorney.
- *Commission Membership* – One appointment is expected on January 24<sup>th</sup>. The remaining position may be filled by the February 15<sup>th</sup> meeting.
- *Website Page* – Shillander and Carrie Van Buren volunteered to develop a list of items to be included on the BHPC pages on the city website ([www.cityofbrookings.org](http://www.cityofbrookings.org)).
- *Preserve Brookings Request* – The group has requested a link on the city website.
- *Preservation Leadership Training – June 10-17, 2006 – Nebraska City, NE* - Stephen VanBuren expressed interest in attending the conference.

- *National Register Traveling Exhibit* – SHPO has a 15 panel traveling exhibit of SD Historic Places available to check out for 8 weeks. Thornes will email Carrie the details for the Ag Museum. The new Museum Director's name is Mac Harris.

### **Norby Collection Report.**

VanBuren reported that a reception is planned for January 27<sup>th</sup> from 5:30 to 8:00 p.m. He will give a talk on the collection.

### **Announcements/Correspondence/Communications**

- *MainStreet News – Nov 2005*
- *MainStreet News – Dec 2005*
- *MacDonald & Mack Architects*
- *Forum News – Jan/Feb 2006*
- *The Alliance Review – Nov/Dec 2005*
- *SD History, Winter 2005 (check-out)*
- *Preservation – Jan/Feb 2006 (check-out)*

Meeting adjourned at 6:45 p.m.

Submitted by Shari Thornes

**Brookings Historic Preservation Commission**  
**February 15, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Wednesday, February 15, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Stephen Van Buren, Richard Shillander, and Alice Pittman. Shari Thornes, City Clerk, was also present.

Chairman Carrie Van Buren called the meeting to order at 5:00 p.m. Chairman Van Buren called the meeting to order at 5:00 p.m. and made the following opening statement, *“This is the Brookings Historic Preservation Commission, the BHPC is a commission of city government whose purpose is to promote the inspiration, pleasure and enrichment of the citizens of Brookings and to identify, document, preserve, promote and develop the historical resources of the city. The powers and responsibilities of the Commission are set forth in SDCL 1-19B and City Ordinance 09-03. The members of the commission are volunteers who are appointed by the mayor with the consent of the City Council. Biographies of our commission members are on file with the city clerk for public viewing.”*

**New Member.** Alice Pittman was welcomed to the Commission. Alice and her husband recently moved to Brookings from Maryland.

Jerry McCollough was appointed to the Commission on February 14<sup>th</sup>, but will be out of town the remainder of February.

**Agenda.** Discussion regarding a Front Street Traffic Study relating to the proposed Depot Park project was added to the agenda by Thornes. A motion was made S. Van Buren, seconded by Bibby, to approve the agenda as amended. All present voted yes; motion carried.

**Minutes.** A correction was noted on the University District property from 8<sup>th</sup> Avenue to 9<sup>th</sup> Avenue. A motion was made by Bibby, seconded by Shillander, to approve the January 19, 2006 minutes as corrected. All present voted yes; motion carried.

**Next meeting. Thursday, March 2<sup>nd</sup> at 5:00 p.m.**

**Calendar:**

- February 15<sup>th</sup> – City Annual Reports Due

**“Doors Open Brookings” program proposal.**

Doris Roden presented the following request to the Commission.

## DOORS OPEN BROOKINGS (Ideas) Site reps will meet Tues., Feb. 21, 10 a.m., 308 4th St.

Event Date: Fri.-Sat., April 28-29, 2006

Doors Open is an international movement that highlights the historic and cultural assets of the community by opening the doors of historic sites to the public and adding "extra" activities at the various sites.

Participants would pick up a free pass to the sites (brochure/map) from flea market at Park & Rec Building (Friday or Saturday).

Sites and activities:

1. \*Park & Rec Building (Patty Kratochvil) - flea market, garden talks (Pot Planting; New Flowers & Plants; Native Grasses; Dried or Fresh Flower Arrangements), entertainment outside, garden café, Arbor Day seedling giveaway, antique appraisal, games for preschoolers, pick up maps to rest of Doors Open Brookings sites - Friday & Saturday
2. \*1921 building (Joyce Dragseth, Mark Kratochvil, MeLisa Elijah of Mills Property) - tour apartment, Equalization office, State's Attorney office, basement, plein air painting demonstration - Friday
3. \*Brookings County Courthouse (Stephanie Vogel, Kristin Olsen) - tour, narration of murals, courtroom - Friday
4. \*Brookings Post Office (Jan Zimmerman) - interpret architecture, show how mail is handled in back rooms, tour basement, hand out visors & jigsaw puzzles of architectural features or Victorian alphabet letters - Saturday
5. \*Depot (Kristi Lee) - tour, sculpture workshop, horse-drawn carriage rides (close Front Street) - Saturday
6. \*Community Cultural Center (Vicki Schuster) - old library photos, Carnegie bio, "Doors Unhinged" silent auction - Friday or Saturday
7. \*Masonic Temple (Clayton Sloat) - costume display with narration, rubbing of cornerstone, oldest building downtown
8. \*Rude's Home Furnishings (Alfred Rude) - Rude's 2, Hometown display, doll making workshop, woodcarving workshop
9. \*Presbyterian Church (Elizabeth Fox) - organ concert, tour of organ pipes, ring the bell
10. Baptist Church - organ concert, tour church, ring bell, stained glass restoration workshop
11. Bartling building - upstairs offices, shabby chic workshop
12. Kendall building - second floor apartments
13. Historic barn in Central Residential Historic District - horse-drawn carriage rides

Other potential sites, plus others could be identified:

Central Elementary School & catacombs	Sexauer buildings	Methodist
Church		
Old parsonages	Old City Hall	Old Sanctuary
Pioneer Park Bandshell	South Dakota Ag Heritage Museum	
South Dakota Art Museum	Sylvan Theatre & Lincoln Music Hall	
The Ram - robbery menu, waiters dress in 30s costumes, mock trial of robbers with jury of kids		

Activities

1. Horse-drawn carriage rides
2. Plein Air Painting Workshop
3. Sculpture Workshop
4. Architectural rubbings
5. Architresure tour
6. Antique Frame Restoration workshop
7. Bookmaking workshop
8. Stained Glass demonstration - DeWalds
9. Shabby Chic workshop
10. Trash to Treasure workshop
11. Furniture Restoration
11. Additional activities yet to be identified by site owners/ reps

Potential Funding:

1. BHPC
2. Deadwood Fund
3. City Promotion Funds

4. Silent auction of “art doors” of all sizes and mediums - display in Park & Rec entry or Community Cultural Center
5. Kari Prest is willing to paint renditions of historic sites on plates to be displayed in the Community Cultural Center.  
Post price on plates so people can order. Proceeds from all art offerings would be split equally between artist and event.
6. Set out donation boxes at each site
7. Secure event sponsor(s)

Notes:

Could run BATA buses from site to site with an on-board tour guide. Make sure each site has a tour guide and printed resources. Consider an invite-only art auction Saturday evening for some of the art pieces. The event could open 4 to 6 sites Saturday morning and a different set of 4 to 6 sites Saturday afternoon. Work with elementary teachers to encourage Fourth Graders to visit the sites as part of their local history study (stamp a passport as they complete each site). Gardening is the #1 hobby in the United States. Heritage tourists stay longer and spend more in communities than other visitors. Event can eventually become self-supporting through corporate sponsorships, antique auction, and “doors unhinged” art sales.

Roden requested the BHPC co-sponsor the event for \$100.00. Expenses would be for marketing and the preservation workshops.

Roden asked for topic ideas for other preservation workshops. Bibby suggested historic light restoration.

Roden asked for someone who can restore antique frames. Thornes recommended Chad Mohr from Sioux Falls.

Shillander suggested that the Commission try to get the downtown plaques installed before the event.

Thornes expressed concern about the accessibility of all the events and providing city funds to sponsor the event.

The Commission will review the request at their March 2<sup>nd</sup> meeting.

### **Front Street Traffic Study / Depot Park.**

The City Council has been reviewing a proposal to close Front Street for a park between the Park and Recreation Building and the former Depot. The City Engineer recently completed a traffic study of Front Street which she will be presenting to the City Council at their February 28<sup>th</sup> meeting. The study has implications that could include a rebuild of the 3<sup>rd</sup> Street & Main Avenue intersection that would require an I.I.I review and could impact the proposed streetscape plan. The study also has potential accessibility concerns related to that corner.

Thornes recommended Commission members attend that meeting. She will also notify SHPO of the potential review.

**Preserve America Signs.** Thornes reported that funding the signs may be a problem. She recommended the following options to purchase four additional signs at \$150 each:

- 1) Amend current 2005/2006 grant to purchase signs and not do the 2006 spring newsletter.
- 2) Wait until the end of 2005/2006 grant cycle to see if there are any cities who haven't spent their funds.
- 3) Apply for funds in the 2006/2007 funding cycle.
- 4) Use city preservation funds if the Preserve America grant is not awarded. Otherwise, the city funds are already designated as match for that project

There was concern that the signs would not be visible on the interstate.

The commission asked Thornes to contact Lead and Vermillion to inquire if they purchased more signs and where they were installed.

Are there additional expenses for installation?

Thornes has not been able to meet with the city engineer to review locations.

**Governor's Award for History.** At the January meeting the Commission discussed possible nominations for the Governor's Award for History which were due by February 6<sup>th</sup>. The Commission recommended nominating Pat Fishback for an "individual" award. There was concern that a nomination could not be completed in the short timeline. Shillander followed up on contacts after that meeting and found that Fishback had received several awards recently. There was consensus to let a little time pass before nominating her for this award. There was also concern about the quality of the application due to the time constraints. The Commission will plan to nominate her for the 2006 award.

**Board Training by SHPO & City Staff.** At that January meeting the Commission asked Thornes to arrange SHPO on-site training for the new and existing commission members. Thornes reported that none of the February dates would work since Jerry McCollough was out

of town. The only date in March was March 2<sup>nd</sup> and Bibby could not attend. The Commission asked Thornes to pursue a date in April.

**Transformers in the Historic Districts.** Thornes was contacted by Paul Melby, Brookings Municipal Utilities, who indicated that he is preparing a report on their plans and will meet with Thornes the following week.

**Website Committee Report (Shillander & C. Van Buren).** The Committee submitted the following suggestions for website content. Doris Roden noted that she has 106 historic digital images and offered them to the Commission.

### **Preservation Commission Web site suggestions**

- Meeting minutes
- Meeting date & time
- Mission statement
- Web “hits” site counter
- Preservation plan
- Brookings Preservation Ordinance
- Design and Maintenance Guidelines
- Applications for Commission membership
- District walking tour brochures (make them so that they can be printed)
- Mayor’s Award for Preservation—criteria and nomination form
- List of commission members
- Brookings Preservationist newsletter
- Annual report
- Thumbnail gallery of “Picture This”
- Schedule of events or article for Historic Preservation Week/Month
- Norby Collection  
<http://lib.sdstate.edu/archives/Norby.htm>

Make links to:

- National Trust for Historic Preservation
- South Dakota SHPO
- South Dakota State Historical Society
- National Park Service  
[www.cr.nps.gov/hps/tps/tax/rhb](http://www.cr.nps.gov/hps/tps/tax/rhb)
- [www.preservationbooks.org](http://www.preservationbooks.org)
- Old House Journal
- BarnAgain!
- Ag. Museum
- Preserve South Dakota
- Preserve Brookings
- DBI

### **Update on Preservation Leadership Training – June 10-17, 2006 – Nebraska City,**

**NE.** An application to attend has been submitted for Stephen Van Buren including a letter of recommendation from the Mayor.

**2006/2007 Grant Application.** The grant application won't be made available until early March. Thornes advised that the Commission may not have much time to develop an application.

### **Central Residential Historic District—National Register District:**

- ***Methodist Church 11.1 Review*** – Thornes said the Methodist Church made application to remove three houses adjacent to the Church in 2001. Notification was sent to SHPO at that time and a case report was required. However, due to that fact that the houses weren't scheduled to be removed for 3 plus years. Completion of the case report was to occur when an actual date was determined. The houses are rented until May 1<sup>st</sup>. The Church plans to remove the structures after that date. SHPO staff are scheduled to review the houses on February 23<sup>rd</sup>. Thornes received a call from an individual expressing concern about the timeline for the review. Thornes then contacted the Church pastors and they advised that that individual did not represent the church and that the timeline was adequate. Commission review of a draft report is tentatively scheduled for March 2<sup>nd</sup>.
- ***724 5<sup>th</sup> Street.*** Thornes reported that Rick and Joanie Holm have purchased the house located at 724 Fifth Street. They plan to install a new foundation and replace in the same location. The problem is that current zoning setbacks require the house be farther back from the street. This was an issue last year with a house in the University District. The Commission and SHPO at that time wrote a letter to the Board of Adjustment in support of a variance. Thornes recommended doing the same for this property. ***A motion was made by Bibby, seconded by Shillander, to send a letter to the Board of Adjustment requesting the variance be granted for the property located at 724 Fifth Street. All present voted yes; motion carried.***

### **Commercial District –National Register District:**

- ***Downtown Brookings Inc. (DBI Board Report)-*** Mary Bibby attended her first DBI meeting as a representative of the BHPC on February 15<sup>th</sup>. She noted that Ryan Brunner, Student Association President, has been working on a free transportation program shuttling SDSU students to and from campus and downtown through the BATA bus service.

### **University Residential District –National Register District:**

Shillander reported that the CDC is considering purchase of a former sorority house in the University District with plans to make repairs and return it to a single family dwelling.

Hexem reported that one of the SDSU Student Association President/Vice President's platform was to create a university inspection program of off-campus housing.

**Norby Collection Report.**

Stephen Van Buren said there have been many ancillary collections appearing now that the Norby Collection is housed at the Library. He reported that the Norby Collection Open House on January 27<sup>th</sup> was very well attended with over 50 people.

**Announcements/Correspondence/Communications**

- *Spring 2006 – SD State Historical Society Press*
- *History Notes – Jan 06*

Meeting adjourned at 6:40 p.m.

Submitted by Shari Thornes

**Brookings Historic Preservation Commission**  
**March 2, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, March 2, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Stephen Van Buren, Richard Shillander, Jerry McCollough and Alice Pittman. Shari Thornes, City Clerk, was also present.

Chairman Van Buren called the meeting to order at 5:00 p.m. and made the following opening statement, *“This is the Brookings Historic Preservation Commission, the BHPC is a commission of city government whose purpose is to promote the inspiration, pleasure and enrichment of the citizens of Brookings and to identify, document, preserve, promote and develop the historical resources of the city. The powers and responsibilities of the Commission are set forth in SDCL 1-19B and City Ordinance 09-03. The members of the commission are volunteers who are appointed by the mayor with the consent of the City Council. Biographies of our commission members are on file with the city clerk for public viewing.”*

**New Member.** Jerry McCollough was welcomed to the Commission.

**Agenda.** A discussion regarding a boardinghouse request for 819 9<sup>th</sup> Avenue and discussion regarding the Property of History Exhibit were added to the agenda. A motion was made S. Van Buren, seconded by McCollough, to approve the agenda as amended. All present voted yes; motion carried.

**Minutes.** The following correction was made to the February 15<sup>th</sup> minutes:

- Downtown Brookings Inc. (DBI Board Report)- Mary Bibby attended her first DBI meeting as a representative of the BHPC on February 15<sup>th</sup>. She noted that Ryan Brunner, Student Association President, has been working on a free (~~DELETE~~) transportation program shuttling SDSU students to and from campus and downtown through the BATA bus service.

A motion was made by Bibby, seconded by S. Van Buren, to approve the February 15, 2006 minutes as corrected. All present voted yes; motion carried.

**Next meeting. Thursday, April 6<sup>th</sup> at 5:00 p.m.**

**Calendar.**

March 30<sup>th</sup> – April 1<sup>st</sup> – SDSHS Annual Meeting - Pierre

April 28<sup>th</sup> & 29<sup>th</sup> – “Doors Open” Brookings

Oct. 31-Nov. 5 – Pittsburgh – National Preservation Conference

### **“Doors Open Brookings” program proposal.**

ACTION: A motion was made by Bibby, seconded by McCollough, to allocate \$100 to DBI to sponsor a historic preservation related workshop at the “Doors Open” event on April 29<sup>th</sup> provided the program meets accessibility guidelines. All present voted yes, motion carried.

### **SDCL 1-19B-11.1 Review – First United Methodist Church Request.**

The BHPC reviewed a draft case report on the proposed project of the First United Methodist Church. The Church, owners of 615 Fifth Street, 517 Seventh Avenue and 521 Seventh Avenue, has applied for moving/demolition permits for all three properties. All three are located in the Brookings Central Residential Historic District immediately adjacent to the Church on the west and north. The Church plans to clear the three building sites for Phase 2 of the Church’s expansion project to include an enlarged educational facility and a community life center.

Church representatives Roger Sandness and Pastor Paul Baker responded to questions.

#### *Discussion:*

- *Is additional parking part of this proposal? No.*
- *Has any in-depth research been done on the three properties? No.*
- *It was clarified that any removal of a contributing structure is deemed as a negative impact to that District.*
- *McCollough said in his opinion the balance of preserving the church in the neighborhood far outweighed the loss of these houses, even if they had architectural significance. He felt the Church should be encouraged to remain in the downtown area and expand as it serves as an anchor to the downtown and the neighborhood.*
- *Thornes agreed that retaining a neighborhood Church was important but disagreed that it would outweigh houses of more significance, noting two of the most significant houses (corner of 6<sup>th</sup> Ave. & 5<sup>th</sup> Street and 6<sup>th</sup> Street & 7<sup>th</sup> Ave.) are still on that block and could be threatened by future church expansions.*
- *Stephen Van Buren questioned the Church’s status as a neighborhood church stating he thought it was a regional service church. Baker indicated that the church has a congregation of 1000 members.*
- *Bibby noted that these projects are in three stages with the first already completed. When will Phase 3 be completed? 15 years. Why move the house (5<sup>th</sup> Street) yet? What will be there? Either parking or a playground. Bibby suggested that house removal should wait. Sandness said the church has been renting those properties since their purchase and the Church no longer wants to be a landlord.*

**ACTION:** A motion was made by S. Van Buren, seconded by McCollough, to state that the BHPC agrees with the findings of the case report with the recommendation to move and conserve the structures rather than demolishing them. All present voted yes, motion carried.

**State Historical Society Annual Meeting.** C. Van Buren expressed an interest in attending the meeting.

**Preserve America Signs.** Thornes reported that CLG/Park Service funds can not be used for the purchase of additional signs. Options are to request additional funding from the City Manager or conduct fundraising. She will not attempt to solicit funds until the sign locations and installations are confirmed.

**SHPO Training.** McCollough will be gone in April. May 18<sup>th</sup> from 4 to 8 p.m. was tentatively selected pending SHPO staff confirmation.

**BMU Transformers – I.I.I Review.** A letter of notification was sent to the SHPO with copies provided to the BHPC. Thornes said Paul Melby, BMU representative, would be available to attend the Commission’s April meeting. No response has been received from SHPO.

Members asked if the State Public Utilities Commission had requirements for these structural installations. Are there landscaping and screening requirements?

**Update on Preservation Leadership Training – June 10-17, 2006 – Nebraska City, NE.** No news on S. Van Buren’s application.

**2006/2007 Grant Application.** Thornes reported that the deadline for application submission was March 31<sup>st</sup>. Funding amounts are \$2000 in basic allocation and CLGs can apply for additional “supplemental” funds. There is \$55,490 to be divided amount 19 CLGs. **Priority** will be given to activities from this allocation pool that are from one of the following items:

- A. National Register nominations from previous surveys
- B. Architectural or Archeology survey of area not surveyed or a new survey of an area surveyed over ten years ago.
- C. Revise and update a past National Register Historic District nomination
- D. District Nominations
- E. Workshops dealing with windows, paint colors, landscaping, researching historic properties,

financial incentive programs, and the Secretary of the Interior's Standards.

- F. Plaques for National Register Properties. Building Owners must match half of the cost of the plaque.
- G. Preparation and implementation of a comprehensive historic preservation plan.
- H. Projects identified as priorities in existing preservation plan.

Thornes recommended the following application ideas.

- 1. Travel/Training (National Trust conference & National Alliance Conference)
- 2. Heritage Tourism Plan
- 3. Preservation Leadership Training
- 4. Website (I. Public Education – Page 65)

She recommended not engaging in any large projects until we receive word on the Preserve America grant.

Thornes will prepare and submit an application to fund items 1, 2 and 4 and submit by March 31<sup>st</sup>.

**Commercial Plaques.** Shillander and Thornes will meet on March 8<sup>th</sup> to develop a plan of attack for installation. City crews have offered to install the plaques.

Central Residential Historic District—National Register District:

- *725 5<sup>th</sup> Street – Board of Adjustment Variance Request – A letter of support from the BHPC and SHPO was provided to the BOA.*

**Properties of History Exhibit.** The Ag Heritage Museum and SDSU Briggs Library have worked out a cooperative arrangement to host the exhibit in December/January. BHPC would be the sponsor of the exhibit. The Ag Museum has developed a “Brown Bag” series around the exhibit.

(Bibby left at 6:15 p.m.)

**Commercial District –National Register District.**

- *Front Street Traffic Study (enclosure) – A traffic study was presented to the City Council on February 28<sup>th</sup>. The study concluded that closure of Front Street was possible but would require significant expenditures including a rebuild of the Main & 3<sup>rd</sup> intersection. The cost, ADA*

*compliance concerns, and the lack of full participation by property owners may be too large of obstacles for the project to continue. The Council requested additional information from city staff.*

**Boardinghouse House Request – 819 9<sup>th</sup> Avenue.** Shillander noted that the Planning Commission was scheduled to hear a boardinghouse designation request for property located at 819 9<sup>th</sup> Avenue in the University Residential Historic District. R-2 zoning only allows 3 unrelated persons to reside in a house. This designation would allow up to 8 unrelated persons. Shillander expressed concern that the lack of affordable housing puts the historic districts in jeopardy.

**ACTION:** A motion was made by McCollough, seconded by S. Van Buren, to state that the BHPC recommends no further boardinghouse permits be approved in the historic districts in order to maintain the present character of the districts. All present voted yes, Shillander abstained, motion carried.

### **City Clerk's Report**

- Annual reports are done and submitted.
- Website – Jason Haug, SHPO, recommended that the website could include pdf documents of the National Register nominations, maps, and photos.
- Next Month – Mayor's Awards, Preservation Week newsletter, Festival Booth

### **Announcements/Correspondence/Communications**

- o *Mary Chilton DAR Foundation*
- o *The Alliance Review, Jan/Feb 2006*
- o *Main Street News Jan/Feb 2006*
- o *Pittsburgh – National Preservation Conference 2006*

Meeting adjourned at 7:10 p.m.

Submitted by Shari Thornes, Brookings City Clerk

**Brookings Historic Preservation Commission**  
**April 6, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, April 6, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Stephen Van Buren, Jerry McCollough and Alice Pittman. Richard Shillander was absent. Shari Thornes, City Clerk, was also present.

Chairman Van Buren called the meeting to order at 5:00 p.m. and made the following opening statement, *“This is the Brookings Historic Preservation Commission, the BHPC is a commission of city government whose purpose is to promote the inspiration, pleasure and enrichment of the citizens of Brookings and to identify, document, preserve, promote and develop the historical resources of the city. The powers and responsibilities of the Commission are set forth in SDCL 1-19B and City Ordinance 09-03. The members of the commission are volunteers who are appointed by the mayor with the consent of the City Council. Biographies of our commission members are on file with the city clerk for public viewing.”*

Agenda. The agenda was approved as presented.

Minutes. A motion was made by Bibby, seconded by S. Van Buren, to approve the March minutes. All present voted yes; motion carried.

Next monthly meeting. May 4<sup>th</sup> – 5:00 p.m.

Calendar.

- March 30<sup>th</sup> – April 1<sup>st</sup> – SDSHS Annual Meeting - Pierre
- April 18<sup>th</sup> – 6 pm - City Council Meeting – Boardinghouse Request
- April 28<sup>th</sup> & 29<sup>th</sup> – “Doors Open” Brookings
- May 18<sup>th</sup> – 4-8 pm – SHPO Training
- July 27-30 - National Alliance of Preservation Commissions - Baltimore
- June 10-17- PLT – Nebraska City, NE
- Oct. 31-Nov. 5 – Pittsburgh – National Preservation Conference

**Pending SDCL 11.1 Review / BMU Transformers.**

Paul Melby, Tom Honkomp, and Rick Swoboda, representatives of the Brookings Municipal Utilities, were present to respond to questions.

Written comments from local citizen and former BHPC chairman Pat Fishback were provided to the members.

Bibby asked about Mediacom's responsibilities in this matter. It was clarified that Mediacom is a private local cable provider that is not owned by the city and therefore would not be subject to the I.I.I review.

McCollough commented that the written materials provided to the Commission by BMU were well done. He noted that the photos were taken during winter which highlights more of a contrast and it is difficult to visualize how the equipment would appear during other seasons. He also noted that the photos were taken to close and suggested they not have been taken on trash collection day.

One photo in the BMU materials shows tremendous clutter and it appears not much care was taken to install the equipment straight. Is there a way to enclose everything into one unit?

Paul Melby, BMU, said the reality is their equipment goes into alleys in the same places where the garbage cans go. He noted that the pictures were taken on a clear and available day. The installations are in the same place where garbage cans are placed. He noted that the picture on Page 1 depicts a new transformer which will replace old one at that site. Mediacom picks their own spots and BMU never has a say where those pedestals are installed.

It was clarified by staff that any actions taken by a governmental entity that potentially impacts a historic district or property is reviewable under state law. City may not undertake a project until review process is completed.

Bibby told the BMU officials that the alley installations are not the issues that are objectionable; it's the ones in the boulevards.

Hexem asked if the current installation activities were on hold. Melby said there is a subcontractor commitment to get the installations done by October 15<sup>th</sup>. However, the work in the historic districts will be on hold until this is completed.

Melby said realtors have told him that no additional value is placed on a home or neighborhood for underground verses overhead service. Value is placed on neighborhoods with mature trees.

Pittman asked how many transformers per block are required verses little pedestals. Melby said normally a transformer feeds 6 to 8 homes.

Can all services be placed into one transformer? No, for safety reasons telephone can't be combined utilities.

As for straightness of equipment, the construction was done last year and the city will make the contractors straighten any that are crooked.

On March 22<sup>nd</sup> BMU officials, BHPC members, a local citizen, and State Historic Preservation Commission members toured problem areas. A two block section of Seventh Avenue has several pedestals on the boulevard. Honkomp pointed out that most are Mediacom's. Other problem area they viewed was 14<sup>th</sup> Avenue and all the pedestals are Mediacom's.

Melby said BMU likes to keep the main feeder cable on the boulevard because that is a substation feed. If something happens need access to it right away.

Jim Adkins, Swiftel Telephone, arrived.

Bibby asked if the State I.I.I review laws apply to BMU? Yes, all governmental entities (local & state to include schools, counties, cities).

Does BMU negotiate with property owners when placing equipment? Yes, they try to contact the owners. BMU staff takes care to place equipment in appropriate sight lines. However, most property owners would rather install the equipment on public property rather than their own yards.

To better evaluate the issue, BHPC members requested photographs of the equipment that also include the streetscapes showing the impact of that location.

Clarification of Mediacom's responsibilities was also requested. A review of their franchise agreement with the city will be required.

Melby said this project has been part of the BMU's capital improvement plan, which is provided to the City Council annually. He commented that the Council had not informed BMU of any reviews that were necessary. Thornes clarified that it is each city department's responsibility to comply with this state law and it is not the City Council's responsibility to instruct BMU to follow state law. There is little communication between entities and they have separate attorneys. The BMU attorney should have instructed them as to their responsibilities.

There was discussion about the style of the pedestals and transformers. Was any research done to determine what other historical districts use?

Clarification on the process for contacting and coordinating with property owners was also requested.

Melby said the underground service will increase reliability of electrical service.

Doris Roden said there is a large transformer in the alley behind 727 Main Avenue that obstructs the view from the alley. She questioned if its location was in opposition to city traffic ordinances. She urged the BMU officials to work more closely with the City and to be aware of those rules.

Is there data on style appropriate equipment for historic districts from the National Park Service and National Trust or National Alliance of Preservation Commissions?

Melby noted that the equipment must meet stringent ANSI standards for safety.

Is landscaping permitted around the equipment to soften the impact? Yes, on three sides but not in front. An 8 foot clear zone is needed for personnel to stand in front of the equipment for safety purposes. There are also limitations by the City of what is allowed on boulevards.

Can these be painted or decorated? Some cities allow it but then maintenance becomes an issue in subsequent years.

Melby said BMU would appreciate the support of the Commission in the recommendation back to the state recognizing the investment for town to be underground. If this isn't approved, the overhead lines would be left in place and trees would be cut.

### **National Preservation Month Activities:**

#### **Mayor's Awards for Historic Preservation**

- Possible 2007 projects.
  - Wessels garage project at 705 4<sup>th</sup> Street
  - Post Office
  - Holm's house at 8<sup>th</sup> Avenue & 5<sup>th</sup> Street
  - Manzer's addition – 929 4<sup>th</sup> Street

A motion was made by Bibby, seconded by Hexem, to award the following projects:

- 1) 723 7<sup>th</sup> Avenue, Terry & Annie Borns, Overall Restoration/Residential
  - 2) 307 3<sup>rd</sup> Street, Hagman's Bakery, Overall Restoration/Commercial
  - 3) 111 Main Avenue, Capitaline Advisors LLC, Overall Restoration/Commercial
- All present voted yes; motion carried.

Presentations will be made at the May 9<sup>th</sup> City Council meeting.

### **Preservation Month Newsletter.**

#### **TOPICS:**

1. Mayor's Awards – CARRIE (Borns, Hagman's & Depot)
2. Preserve America Grant – SHARI
3. DBI / Revolving Loan Funds – DORIS RODEN
4. DBI / Resource Library - -DORIS RODEN
5. Researching Homes (Blogs ) – ALICE

6. Preservation Friendly Web Links - ??? – NEED SOMEONE TO WORK ON THIS
7. Promote Walking Tour Brochures

**Preserve America Grant.**

The BHPC scheduled a special meeting on Thursday, May 3<sup>rd</sup>, at 3:00 p.m. to discuss the grant.

**2006/2007 Grant Application.**

Thornes reported that she submitted a grant application request of \$17,941 to fund the following projects including \$10,000 to supplement the Preserve America Heritage Tourism Plan project.

Basic Allocation Funding \$2000 - Project Titles:

1. Mayor's Awards for Historic Preservation
2. *Brookings Preservationist* Newsletter
3. Public Workshop
4. Membership in state and national preservation organizations

Supplemental Funding – Project Titles:

1. Board Development Training \*\*
  - A. National Trust Conference (2)
  - B. National Alliance Conference (2)
  - C. Preservation Leadership Training (1)
2. Heritage Tourism Plan \*\*
3. Website \*\*

\*\* priorities in *Brookings Historic Preservation Plan* Action Plan

Notification should occur sometime in April.

**Report on SDSHA Annual Meeting (Van Buren).**

Carrie Van Buren attended the SD State Historical Society Annual meeting in Pierre.

**Historic Districts and Properties Update.**

Central Residential Historic District:

- *ADA Review of Central Elementary.* Thornes and other ADA specialists conducted an accessibility review of the School.

- *725 5th Street – The Board of Adjustment Variance request was granted for this property. The BHPC and SHPO both submitted letters of support for the project.*
- *First United Methodist Church – The I.I.I review of this project has been completed. The City will send notice by certified mail that they plan to issue the permits.*

**Commercial District:**

- *Downtown Brookings Inc. Report – Bibby attended the DBI meeting and reported that she requested funds for additional Preserve America signs.*
- *Doris Roden said there are concerns about the flashing signs in the downtown area.*

**University Residential District:**

- *Boardinghouse Request for 819 9<sup>th</sup> Avenue is scheduled for City Council action on April 18<sup>th</sup>. Van Buren will attend the meeting and read the BHPC's statement against boardinghouses.*

**City Clerk's Report:**

- *106 Review Training – SHPO is holding a day-long training session in Brookings on May 3<sup>rd</sup>. The BHPC is co-hosting the event.*

**Announcements/Correspondence/Communications**

- *Preservation Books 2006*
- *DBI Agenda - March*
- *Main Street News March 2006*

Meeting adjourned at 7:10 p.m.

Submitted by Shari Thornes

**Brookings Historic Preservation Commission**  
**Thursday, May 4, 2006**  
**3:00 p.m. ~~ Preserve America Meeting**  
**5:00 p.m. ~~ Regular Meeting**  
**City Hall Meeting Room**

**3:00 p.m. Preserve America Project**

The Brookings Historic Preservation Commission held a meeting on Thursday, May 4, 2006 at 3:00pm at City Hall to discuss the Preserve America Project with the following members present: Mary Bibby, Stephen VanBuren, Alice Pittman, Carrie VanBuren (Richard Schillander arrived at 3:16, Jerry McCollough arrived at 3:25), also present was City Clerk Assistant Bonnie Foster, Deb Garbers, Doris Roden,

The Commission requested for Preserve America, a Grant in the total of \$84,000. The Commission has received notice they were awarded \$54,000. There is also an additional State Grant of \$10,000 that has been awarded to the BHPC.

Roden commented that consultant Jon Schallert (\$32,000) puts us over our currently awarded dollars and we could easily cut him from the budget to stay within the figure awarded.

Richard arrived at 3:16pm

Doris Roden gave an overview of the consultants:

- Donovan Rypkema – from SD, set the stage for the importance of heritage tourism
- Carolyn Brackett – Nat'l Trust works with heritage tourism and accessing communities and writing plan to help coordinate way to market those
- Ben Moldrow (not with Nat'l Trust – he is a private consultant) has done a lot of work with community identity – marketing and logos for communities – makes sure the community is involved and is a good listener to the community people
- Jon Schallert – private consultant, not with Nat'l Trust

Roden stated the last consultant she worked with cost \$55/hour, and the \$643/day is over the allotted rate as stated in the application.

Roden clarified under #3, the number of days stated was the number of days the consultant would be in the community, not taking into account the consultants prep days. For example, Carolyn Brackett should be listed for 25 days at \$643/day, rather than 16 days at \$1,000/day.

Stephen agrees the most logical way to meet the allotted dollars is to drop one consultant, primarily Jon Schallert.

Bibby wondered if it would work to drop Schallert and change the days of the others?

Roden responded 'yes', therefore, Rypkema would be increased to 7 days, Brackett increased to 25 days, and Muldrow increased to 25-27 days.

Roden stated another change would be to drop "and destination planning". It is the last phrase in the Project Summary #3. (page 2 of 8)

Carrie wanted clarification on the Orlando travel with 27 people. Roden clarified that the grant would pay for the training of 27 people, but each of those individuals would pay for their own travel.

Jerry arrived at 3:25pm

Shillander asked about dollars for unforeseen costs and wondered what everyone's thoughts were on that? Roden stated she didn't think this grant allowed the 10% difference for such.

The Commissions consensus was to go forth with the \$54,000 (plus \$10,000). Carrie stated applying for the \$10,000-15,000 makes sense to do later, but to work with actual awarded dollars now.

Motion was made by Bibby, seconded by McCollough to make revisions as discussed to eliminate Jon Schallert as a consultant and increase the number of days for the other consultants and proceed as planned. All present voted yes; motion carried.

Carrie asked who is to write the revisions. Roden stated she could, but wanted to hear more from Shari.

Carrie asked for a Preserve America Subcommittee chair from the BHPC. Roden recommended Stephen. Stephen agreed.

Shillander asked about the 18 month time frame of the grant and if the committee has a 'road map' to follow. Roden clarified that it is stated on Page 8 of 8, but there is still some basic ground work that needs to get done.

Roden reminded the commission members that they agreed earlier to cut the business evaluation section.

Stephen and Doris are prepared to fill out the revised grant application, but would like some input from Shari.

### **5:00 p.m. Regular Monthly Meeting**

The Brookings Historic Preservation Commission held a regular meeting on Thursday, May 4, 2006 at 5:00pm at City Hall with the following members present: Mary Bibby, Stephen VanBuren, Alice Pittman, Carrie VanBuren, Richard Schillander, Jerry McCollough, and Wayne Hexem; also present was City Clerk Assistant Bonnie Foster, Deb Garbers, Doris Roden, Paul Melby, Rick Swoboda, Jim Adkins, and Tom Honkomp.

Chairman Van Buren called the meeting to order at 5pm and made the following opening statement, "BHPC Stmt".

Motion was made by Stephen, seconded by Bibby to approve the agenda as presented. All present voted yes; motion carried.

The next Meeting date was set for June 1 at 5:00pm at the City Hall Meeting Room.

Wayne arrived at 5:04pm

Motion was made by Bibby, seconded by McCollough to approve the Minutes of the April 6, 2006 meeting. All present voted yes; motion carried.

Wayne Hexem commented on page 3, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> sentence, "Thornes clarified...." that these statements were not made at the meeting but may have been developed after words. Carrie commented she remembered Shari responding to a question Mary asked in regards to responsibility to follow state law. Wayne questioned that Mary asked if Mediacom was currently being reviewed by the city. Mary stated she may have remembered Shari responding with such statement. Wayne didn't remember that. Stephen remembers that this paragraph is 2 instances put together - - and she said 'I told them that...'. Wayne said that BMU submitted these work plans to the CC and it is my understanding they didn't get any feedback and you are required to do the review as it is in your CIP. Paul Melby responded yes.

(Shari please review these comments - - rack your brain....)

**Commission review and comment on SDCL 11.1 Case Report on the Brookings Municipal Utilities Project in the University and Central Districts (enclosures). Case Report**

McCollough made a motion to support the BMU proposal, agree work being done is an improvement within the district visually and we go on record that we are in support of the report as submitted. Mary seconded. All present voted yes; motion passed.

**DISCUSSION**

Stephen agrees with the submission, tho one problem is that we can't do both underground and above ground. He stated when looking at old photos of downtown with the old powerlines he noticed how ugly they are. What tipped him is that the powerlines are not the historical layout of those districts, it is the buildings etc.

Wayne commented to Paul when did tour that the overhead powerlines as a visual impact don't affect him. These pop ups on the boulevards are more detracting than the overhead powerlines. He questioned from the standpoint of safety and service, if it is better to have underground lines. Paul Melby responded that the actual equipment on the ground is designed to be safer for the public and operating personnel. The pop ups are more durable on the longer term. Wayne asked about concerns with minimizing power outages. Melby stated the overhead lines are more subject to Mother Nature (ice storms, etc.) and that is where you run into concerns (kids climbing trees, etc.) The overhead lines allow the wildlife to get into the equipment as well. The silver bands on the poles are deterrents for squirrels to not climb the poles. Underground lines don't have nearly as many interruptions.

Jerry commented that aesthetically, by removing the overhead lines, they would be eliminating the periodic cutting of the trees, and create a cleaner streetscape. Jerry recently realized that there are pop ups in Brookings that he has been driving by and never realized they were there. Those areas are much nicer and more attractive with the lines underground.

Richard does not feel the terminal pedestals have had a detrimental affect. He is concerned that the commission understands that their role is not to preserve history and make sure the structures in the community are maintained, but support the efforts to make our community safer and bring it into the 21<sup>st</sup> century.

Mary Bibby commented she was recently in Pierre and noticed they have the same transformers all over town.

Paul Melby was recently out of town and took the camera with him (passed out handouts) and took some pictures of popups in Las Vegas. The color they use is gray as it fits in well with the desert climate/colors, but there are still some green ones. The are he was in didn't have boulevards and the houses are right next to these pop ups and people are still able

to plant right up to them, just leaving the access door free of plantings. In his handouts, the last picture is of a transformer in Sioux Falls, similar to Brookings.

Richard stated that when the pedestals are installed, it would be nice if they would be perpendicular to the ground. Melby clarified that the bigger the equipment, the more square it stays to the world. However, as services are added to them, they start to 'move.' Rick Swoboda commented that frost also affects that. Melby mentioned that the standard was recently changed from a cement slab, to now being a 12-14 inch 'basement'.

Melby commented that if you are in the older part of town with overhead lines, they have made special effort to help those homeowners move their overhead lines underground and add a meter. They used BMU electricians for this and saved on approximately \$600.00 of labor costs per home.

Wayne wanted clarification on page 4 of the case report, requirement that the BMU plan is approved solely by the utility board and wondered if they were part of the City Council. Melby clarified that the City Council appoints the utility board members. The 5 members of the board are assigned the task of overseeing the business and taking care of details. The board approves work plans/capital improvement projects, which are shared with the City Council to keep them informed. The watching over is done by the utility board, of whose meetings are open to the public.

Carrie commented that this will be sent to the SHPO office, and will let BMU know when.

### **Project Reports:**

#### ***Mayor's Awards for Historic Preservation***

Mayors Awards will be awarded May 9<sup>th</sup> at the City Council Meeting starting at 6:00 p.m. Carrie asked for Commission Members to attend, as it would be appreciated.

#### ***Preservation Month Newsletter***

The Newsletter is in the proof stages and will go to press soon. Carrie stated Shari's thanks to all who did articles.

#### ***2006/2007 Grant Award***

The BHPC was awarded \$54,000, plus a State Grant of \$10,000.

#### ***National Alliance of Preservation Commissions Forum Conference & National Trust for Historic Preservation Conference***

Carrie clarified that there is funding for 2 people to attend each of these conferences and that we like a total of 4 separate names.

Richard and Alice stated they would like to attend the NAPC Conference in Baltimore.

Jerry stated he would be interested in attending the National Trust Conference in Pittsburgh. Stephen stated he could be a fallback for either and would go only if absolutely needed to fill a vacant spot.

### ***PLT Conference***

Stephen is attending this conference on June 10-17.

### ***SHPO Training – May 18<sup>th</sup>***

Carried noted that Shari would not be able to. Stephen is going to check about the Briggs Library for location. Carrie assured all that Jason and Kate would have a full agenda and would keep them busy.

Wayne commented in connection with the training, he suggests that the trainers provide a list of their acronyms and translations that they use. Carrie commented she will contact Jason and ask him to include this in his materials. Richard asked about food. Carrie stated we could have Aramark cater in or do pizza or something. Richard offered to look at the conference rooms at the hospital where the cafeteria would be available or could also do subs. Carrie stated the reason we are looking for another location is that the City Manager search meetings are using the space at City Hall.

### ***106 Training – May 3<sup>rd</sup> / Stephen Van Buren attending***

Stephen commented the training was extremely helpful on the reviews of historic properties and he did a lot of reading to catch up and it filled in some blanks for him. Stephen thought it was amazing how it continually filled up; probably 40 people from eastern South Dakota. Mary asked what 106 was and Carrie clarified it was in regards to doing federal reviews. Stephen stated anything dealing with federal funding has to do a review. Alice asked about materials and if she could see what he got. Stephen stated he gave Shari an extra packet.

### ***2007 City Budget Narrative & Funding Request***

Carrie stated there will be a short turn around time on this, and to keep in mind that the BHPC funding will most likely stay level at \$3,600.00. Carried advised that they all look this over and get your thoughts ready. Alice asked for clarification on the process. Bonnie explained the process in simplicity....stated it may be as early as June 1.

### ***Main Street “Basic Training” – Mitchell (enclosure)***

Carrie asked if anyone wanted to attend. No comments. Let Bonnie know by Friday, May 5.

### **Historic Districts and Properties Update.**

A. Central Residential Historic District—National Register District:  
Central residential. Richard stated he saw the advertisement for the houses by the Methodist church and the church is requiring a deposit.

B. Commercial District –National Register District.  
Doors Open Workshops

Wayne commented on the frame workshop. He was one of 6-7 people. He stated the presenter did a thorough job and it lasted about 2 hours.

C. University Residential District –National Register District.  
Boardinghouse Request – 819 9<sup>th</sup> Avenue. Carrie commented that the request failed. Bibby then asked if it will go to a duplex. Carrie clarified if they wanted to try for a duplex, the process would have to start anew. Richard and Jerry had some concerns where money would be coming from and how that would impact. Carrie stated they should get their questions together and ask Jason and Kate.

Carrie wanted to let everyone know on the boardinghouse issue that the City Council is going to have some joint meetings with the planning commission and BHPC to discuss boardinghouse planning, etc. There will be requirements for some or all of the BHPC members to attend these meetings.

### **Calendar.**

- April 28<sup>th</sup> & 29<sup>th</sup> – “Doors Open” Brookings
- May 4<sup>th</sup> – 3:00 p.m. Special Meeting in Preserve America Grant
- May 9 – City Council Meeting - Mayor’s Awards Presentation
- May 9-10 – Main Street Basic Training – Mitchell, SD
- May 18<sup>th</sup> – 4-8 pm – SHPO Training
- June 10-17- PLT – Nebraska City, NE
- July 27-30 - National Alliance of Preservation Commissions - Baltimore
- Oct. 31-Nov. 5 – Pittsburgh – National Preservation Conference

### **Announcements/Correspondence/Communications**

- *SD History Spring 2006*
- *Preservation May/June 2006*
- *MainStreet News April 2006 (enclosed)*
- *DBI Agenda – April (enclosed)*

Motion was made by McCollough, seconded by Shillander to adjourn. All present voted yes; motion carried. Meeting was adjourned at 5:58 p.m.

**Brookings Historic Preservation Commission**  
**August 3, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, August 3, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Jerry McCollough and Alice Pittman. Richard Shillander and Stephen Van Buren were absent. Shari Thornes, City Clerk, was also present.

Agenda. A motion was made by McCollough, seconded by Pittman, to approve the agenda. All present voted yes, motion carried.

Minutes. A motion was made by McCollough, seconded by Pittman, to approve the May minutes. It was noted that there were no meetings in June or July. All present voted yes, motion carried.

Next monthly meeting. 9/9/06 at 5:00 p.m. Pittman will be gone.

Calendar.

July 27-30 - National Alliance of Preservation Commissions - Baltimore

Oct. 31-Nov. 5 – Pittsburgh – National Preservation Conference

**SDSU request to use BHPC images.** Van Buren was contacted by Jenny Crickard from SDSU University Relations asking permission to use BHPC artwork from the SDSU Walking Tour Brochure. Crickard had contacted the artist, Bobbi Gaukel, and she indicated that the BHPC owned the rights to the artwork and they would need the Commission's permission. SDSU is re-doing walking tours for the campus and offered to pay for the rights to use the images. This request was made in December 2004 and was declined.

12/9/04 Minutes

Publication Request. Fishback received a request from Jennifer Crickard, SDSU University Relation, to reproduce the BHPC's line drawings from the Commission's 1992 SDSU Walking Tour Brochure. The Commission owns the rights to the drawings. SDSU is planning to produce a special anniversary brochure for their 125<sup>th</sup>. Concerns noted were:

- The BHPC has never had a successful partnership on sharing artwork.
- If allowed, the "Gaukel" drawings would be partnered with non-Gaukel drawings (Bobbi Gaukel was the artist).
- The BHPC could do a compendium brochure if we still controlled them.
- All historic walking tour brochures have been done by the BHPC.
- Other ideas for tours... historic people tour (NE Hansen, Ada Caldwell).
- The context of the product is a concern.

There was consensus to decline the request.

Van Buren suggested a one-time use contract could be considered. Clarification from SHPO is also needed to determine if this artwork which was paid for with federal funds could be offered to others and if any money could be charged.

A motion was made by McCollough, seconded by Bibby, to request a meeting with University Relations and ask them to make a presentation to the Commission on how the artwork would be used and then the Commission would make a decision and to work with them cooperatively. They will be asked to submit their request in writing along with a timetable. All present voted yes; motion carried.

### **Commission Member Development Training:**

1) **Report on PLT Conference.** Postponed until S. Van Buren could be present.

2) **Report on National Alliance of Preservation Commissions Forum Conference.** Pittman and Shillander attended the Conference. Pittman provided a verbal report and will provide copies of her written report to the BHPC members at a later date.

She gave the following highlights:

- Attended a short course for Preservation Commissioners that covered legal issues Commissions face.
- Most Commissions spend most of their time reviewing local design review certificates of appropriateness requests.
- They emphasized that public outreach is so important. Commissions should try NOT to surprise people about district requirements.
- They stressed that all commissioner members should know their local ordinances.
- One session on preservation in low income neighborhoods only had problems and no solutions posed.
- Building support networks are so important. Successful Commissions build alliances with public, private, and non-profits. Each can do things the other can not do.
- Commission members must be careful about advocacy or targeting projects to promote.
- Streamlining processes with checklists is important.
- Assess your work at the end of the year.
- Pat yourselves on the back!
- Send information to the City Manager to be relayed to the Council.
- Re-evaluate your losses.
- Conduct a yearly retreat. In your notice say no public comment will be taken.

- Be friends with the city attorney.
- Keep previous commissioners involved.
- Most Commissions had 9 members and some had alternate members.
- Develop database of property addresses.
- Develop a template of procedures.

3) **Finalize member attendance for National Trust for Historic Preservation Conference.** McCollough expressed interest in attending the conference.

**Preserve America Update.** Postponed until S. Van Buren could be present.

**City Clerk's Report:**

- **Grant Amendment / September 1st** - Thornes reported that the 2005/2006 grant must be finalized and closed out by September 1st.
- **2007 City Budget Request** - The BHPC's 2007 city funding request of \$3,600 has not been altered and is expected to be fully funded. The budget will be finalized on September 26th.
- **Video checkout** - Thornes has videos from the State Office available for members to check out.

**Historic Districts and Properties Update.**

*Central Residential Historic District:*

- A moratorium review request was received for the Central District. The property owners are working with SHPO and city staff.
- Possible Mayor's Awards in 2007: Manzer's property at 929 4th Street and Holm's project on 5th Street & 8th Avenue.

*Commercial District:*

- DBI Report - No report.
- Streetscape Project - Thornes said the city is evaluating possible funding sources and owner participation in the project and hopes to determine the scope of the project soon.

Individually Listed - 403 8th Street

- First Lutheran Church on North Main & 8th Street recently requested a variance for an oversized animated sign in front of the church. Neighbors objected and the Board of Adjustment turned down the request. It was noted that the Church could install a smaller sign without a variance.

**Future Meeting Topics:**

- Animated Signs
- Boardinghouses

**Announcements/Correspondence/Communications**

- *SD History - Summer 2006*
- *Forum News, July/Aug 06*
- *MainStreet News, June 2006 (provided in June packet)*
- *Forum Journal, Spring 2006*

Meeting adjourned at 6:45 p.m.

Submitted by Shari Thornes

**Brookings Historic Preservation Commission**  
**October 10, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, October 10, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Jerry McCollough, Alice Pittman, and Stephen Van Buren. Shari Thornes, City Clerk, was also present. NOTE that Richard Shillander resigned in September.

Agenda. A motion was made by Bibby, seconded by McCollough, approve the agenda. All present voted yes, motion carried.

Minutes. A motion was made by McCollough, seconded by Pittman, to approve the August 3, 2006 minutes. All present voted yes, motion carried.

**Next monthly meeting. Thursday, November 16, 2006 at 4:00 p.m.**

**SDSU request to use BHPC images.** At the last meeting Van Buren reported that SDSU had requested permission to use BHPC artwork from the SDSU Walking Tour Brochure. Since that meeting Van Buren has been in touch with Jenny Crickard from SDSU University Relations and Crickard said there wasn't a rush for this request and plans to come to the November meeting.

**Discussion regarding impact of Animated Signage in historic districts and areas.**

Thornes reported that the City Council had been contacted by local citizens requesting a moratorium be placed on animated signs until the issue could be studied by the Planning Commission. The key issue is the appropriateness of digital animated signs in historic residential neighborhoods and historic commercial district. What triggered this request was a sign permit request made by First Lutheran Church located at the intersection of Main Avenue and 8th Street to place an animated digital sign in the yard.

Timeline Summary

- 7/20 Board of Adjustment meeting - 1st Lutheran Church requested a sign larger than allowed by ordinance. The BOA turned down the request. Note that the Church would still be allowed to install a sign that conforms to the sign ordinance and nothing can be done to prevent that sign's installation.
  
- 8/18: Downtown Brookings Inc sent a letter to Planning Commission requesting moratorium be placed on these types of signs until the issue could be studied.

- 9/5: Planning Commission meeting - The issue was briefly discussed at the end of the meeting, but was tabled until October.
- 9/19: Letter was sent to the City Council from four neighbors of First Lutheran Church requesting moratorium on signs.
- 9/26: City Council meeting - It was determined that the City was unable to place a moratorium on signs without following notice procedures and directed staff to prepare a temporary zoning control ordinance for review on Oct. 10th.
- 10/10: City Council meeting - 1st reading of Ordinance
- 10:24: City Council meeting - 2nd reading (public hearing) of Ordinance

The BHPC members were provided with copies of both letters, the unapproved Sept. 26th City Council minutes, written testimony from neighbors Doris Roden & Jonnie Einspahr, and a written analysis of the proposed changes to the sign ordinance prepared by Einspahr.

Thornes suggested the following possible BHPC involvement in the issue:

- Take an official position on the issue and provide that statement to the City Council.
- Attend all City Council meetings at which this issue will be discussed.
- Attend Planning Commission meetings and possibly participate in a subcommittee that studies the issue.
- Research how other cities in South Dakota handle this issue. Perhaps this has already been done by the Planning Dept.
- Conduct more regional and national research through the National Trust list serve to obtain ordinance examples.

Discussion:

McCollough said churches located within residential neighborhoods work well because they are not disruptive. He was concerned that church representatives did not meet with the neighborhood first. In his opinion animated signs are commercial in nature designed to stimulate impulse buying, which isn't appropriate in a residential area. He felt there are other ways the church could advertise and get their message across. He said a sign of this type could be a safety concern and questioned its appropriateness in a residential area.

It was noted that the church is located in proximity to three "stand-alone" national register homes.

Under the current sign ordinances these signs are allowed in residential areas for three institutional uses - churches, libraries and schools. Neighbors are concerned that there is another church within a block and an illegal fraternity two blocks away. BHPC members noted how many neighborhood churches are in Brookings and expressed concern about how many potential signs could appear.

Bibby asked if the sign was a gift. No one knew the answer. She also pointed out that the church has a coffee shop on the grounds.

**ACTION:** Meeting with church representatives was suggested to discuss the appropriateness of these signs, other message alternatives, and to request the sign not be installed. Jerry agreed to make those arrangements and be the official spokesperson for the Commission. Thornes will attend the meeting as well. Bibby and S. Van Buren expressed interest in attending. The goal will be to meet as soon as possible, hopefully within one week.

**ACTION:** A motion was made by Bibby, seconded by S. Van Buren, authorizing the Chair to prepare an official statement from the BHPC opposing the use of animated signs in residential districts. *Discussion: Signs, other than exterior lighted signs, should not be permitted. The Chair will draft a letter and send out to the members for review and comment. A copy will be provided to the City Council and Planning Commission. The letter will be read at the October 24th public hearing.*

All present voted yes; motion carried.

**Review of report prepared by Jerry McCollough regarding local jurisdiction over state-owned properties.**

Jerry McCollough said this issue came up when two small brick homes located in the 1200 block (north side) of 8th Street were demolished. The homes were owned by SDSU and were removed on a Sunday without a demolition permit. The City Building Department responded that SDSU is not required to get any type of permit. He questioned if this should have taken place and can anything be done.

He got the feeling that the Board of Regents thought they could do anything without local involvement. Historically, the Board of Regents is an independent agency with power and authority, but this action didn't seem reasonable. He reviewed all state laws related to the Board of Regents, state owned land, and local control and prepared a report, "Brookings, SD jurisdiction of over University Properties," dated August 8, 2006 which was submitted to the State Historic Preservation Office who turned it over the State Attorney General's Office. Roxanne Giedd, attorney from the AG's office, responded in an email on September 6, 2006, that the Board of Regents and SDSU (and all state-owned properties) are exempt from municipal zoning requirements; this is premised on state sovereign immunity. She provided a 1977 court case on a zoning issue as the basis for that decision.

McCollough also testified at a State Legislative Research Council public hearing in Brookings on September 5, 2006.

McCollough said the state's position is a private party can't sue the state; however, we're a governmental agency. In his opinion the Board of Regents has limited authority. This issue is a building ordinance issue and not zoning. Issues related to land should be handled by the commissioner responsible for all state-owned lands. Unless the Board of Regents can prove these houses removal is directly related to education, the state should have to cooperate with local governmental entities and follow the permitting process. A further remedy is the Commission of Intergovernmental Relations as an arbiter. Bibby questioned if this commission still exists.

In McCollough's opinion, state law has been bypassed and a myth has been perpetuated. The Board of Regents does not have unlimited power. They must follow local protocols when the issue relates to public health, welfare and safety (i.e. fire, police, building, drainage, engineering, demolition permits).

Bibby said she was very impressed with McCollough's research on this issue and commended him for his hard work. She noted that the myth had been long-standing.

The houses are gone and nothing can be done about those but this will happen again. He recommended a dialogue be required.

This time of transition of presidents at SDSU may be an opportunity to define this issue.

Bibby suggested contacting Dean Krogman, local realtor who also serves on the Board of Regents.

Thornes recommended the following action steps on this issue:

- Request a meeting with the City Manager and City Attorney to brief them on the issue and request the City Attorney prepare an opinion. They will be advised that the purpose of the meeting will be a discussion of state law regarding the allocation of powers between the City and SDSU noting that the discussion was stimulated by a historic district issue. Jerry McCollough and Thornes will attend this meeting. It was noted that the Attorney General's position will be to protect the state's interest which may be contrary to the local government's opinion.
  
- Contact a National Trust Attorney to obtain their opinion on the issue.

**Consideration of forming a "Most Endangered Places" for Brookings.**

Pittman asked the Commission to consider forming a local "Most Endangered Places" list for Brookings, similar to that of the National Trust's "America's 11 Most Endangered Historic Places" list. There was consensus to develop an annual list soliciting nominations from the community, DBI, Preserve Brookings, and others. The list would serve as a public education tool to let people know what is endangered.

Learning more about the city's and SDSU's future plans may be helpful in identifying historic resources that could be impacted.

Members were provided with the National Trust's list and one detailed site description. They also received the state non-profit - Preserve SD - nomination form for their "Places in Peril" program.

**ACTION:** A motion was made by Pittman, seconded by Bibby, to invite the City Planner to a BHPC meeting to discuss long-range plans for the city focusing on particular areas related to historic preservation. All present voted yes; motion carried.

Potential nominations:

- Main & Main - most "prominent" corner that are susceptible to "Walgreens" type developments.
- Residential structures adjacent to the County Courthouse.
- Central Elementary School
- Grain elevator
- Trees and boulevard west of Medary on 6th Street.
- 527 7th Avenue - "Boever" house
- SDSU Horse Barn (north Medary Avenue)

### **Commission Member Development Training:**

Report on PLT Conference - Stephen Van Buren attended a national Preservation Leadership Conference in Nebraska City, NE this summer. The week-long session was intense and focused on general preservation issues. The attendees were divided into teams and each worked on a proposal to save a particular landmark. He highly recommended the training for all members.

Report on National Alliance of Preservation Commissions Forum Conference - Richard Shillander attended the Alliance conference. It was noted that Richard and his family have moved to the Grand Junction, Utah area. He will be submitted a written report by email.

National Trust for Historic Preservation Conference - McCollough and Stephen Van Buren will be attending the Trust conference in Pittsburgh.

### **Preserve America.**

Thornes and S. Van Buren met on September 14, 2006, and prepared the following report. Thornes noted that timelines have changed because the Trust has not returned the grant agreement.

#### **I. Finalize Grantee Information Form**

- Two issues that needed changing:
  - Reduce state rate maximum
  - Reduce scope of work due to reduced funding award from original grant.
- Reviewed the form prepared by Doris Roden and found it accurate.

- Will sign document, scan into PDF format, and send by EMAIL to Hampton Tucker at National Park Service on Friday, September 15, 2006.
- TIMELINE: September 15, 2006
- STATUS: Done

2. Grant Agreement

- NPS will send the City the final grant agreement that will require council action.
- Hopefully this can be done in October at either their October 10th or October 24th meetings.
- TIMELINE: October 24, 2006  
(need materials by 10/17 to make this deadline)

3. Establish & Meet Committee Partners

Participating Partners:

1. Brookings Historic Preservation Commission
  - Stephen Van Buren, BHPC member & Committee Chair
  - Alice Pittman, BHPC member
  
2. State Agricultural Heritage Museum
  - Mac Harris, Director
  
3. Downtown Brookings Inc.
  - Doris Roden, Executive Director
  - Tom Manzer, Board President
  
4. SD Art Museum
  - Lynn Verschoor, Director

5. Chamber of Commerce
  - Dick Olson, Executive Director
  - Woody Weeks, Board President (2006)
  - Tim Harvey, President-Elect (2007)
  
6. Convention Visitor's Bureau (arm of Chamber)
  - Deb Garbers, Director
  - Woody Weeks, Board President (2006)
  - Tim Harvey, President-Elect (2007)
  
7. Chamber Promotions Committee (this is new)
  - Victoria Blatchford, Committee Chair
  
8. City of Brookings
  - Dennis Falken, Interim City Manager
  - Shari Thornes, City Clerk
  
9. Preserve Brookings
  - John Ruffalo (NEED TO CHECK)
  
10. South Dakota State University
  - Dr. Peggy Gordon Miller
  
11. Brookings County
  - Dennis Falken, County Commission Chair (current city manager)
  
12. Brookings Arts Council
  - Vicki Schuster, Executive Director
  - Brian Price, Board President
  
13. Brookings Economic Development Corporation
  - Al Heuton, Executive Director
  
14. Citizen Representatives???

IDEAS?

- Russ Stubbles

ACTION: Meet with all representatives before Council meeting

TIMELINE: October 17, 2006

4. Information Packets

- Need to prepare information packets prior to meeting with each of the above listed partner representatives. Need to decide contents.
- TIMELINE: September 18-22

5. Briefing

- Stephen and Alice will meet with Doris to receive briefing on the project prior to meeting with partner representatives.
- TIMELINE: September 18-22, 2006

6. Install Signage

- Thornes will review BHPC budget to determine if additional signs can be purchased.
- TIMELINE: September 18-22
- Select desired location(s).
- TIMELINE: September 25-29
- Contact city & state officials for installation requirements.
- TIMELINE: October 2-6
- Contact city street department to signs installed
- TIMELINE: October 2-6

7. Committee Meeting

- Develop Agenda
- Identify designed outcomes
- Timeline for project
- TIMELINE: November 2006

**City Clerk's Report:**

- 1) Grant Closeout - The 2005/2006 grant has been successfully closed out and the city has received it's reimbursement check.
- 2) 2007 City Budget Request - The BHPC's level funding request of \$3,600 for 2007 was approved by the City Council.
- 3) Membership - As previously mentioned, Richard Shillander has resigned from the Commission. This position is currently being advertised with a closing date of October 27th. It was noted that the ordinance allows the Commission size to be anywhere from 7 to 10 members and there was discussion about the merits of more members.

- 4) Boardinghouse issue - At a previous meeting the BHPC requested the city planner attend a Commission meeting provide information on the issue of boardinghouse designations. Thornes said the BHPC meeting date conflicts with the Board of Adjustment, so a special meeting may be necessary. She will check with Dan Hanson to see if he could attend a 4:00 p.m. meeting or starting early at 3:30 p.m. could also be possible.
- 5) SHPO updates
  - No Fall Preserve SD conference is schedule. Their director has left.
  - Deadwood hired a new Preservation Officer who has ties to the state mainstreet program. - Jay Vogt, SHPO, will be at the Pittsburgh conference.
- 6) Handout - MainStreet News - Sept 2006
- 7) Prairie Frontier National Area - A group recently made a presentation at a City Council meeting requesting council support. The concept would be to create a series of parks within the context of 1880 to 1910 from DeSmet to Brookings connected with a trail system. Thornes will provide more information at the next meeting.

### **Central Residential Historic District—National Register District**

**I) Central Elementary - Loss of neighborhood school impact.** Bibby attended a recent DBI meeting at which members expressed concern about the issue. DBI member Kathy Theodosopoulos was assigned by that group to monitor the issue.

The Brookings School Board and Superintendent are proposing a new educational concept called "Grade Alike" which would put all K-1 students in one building, 2-3 students in another, and grades 4-5 in a third elementary school. The neighborhood elementary school concept would no longer exist. If Central remains as a school it would house grades 4-5, which would negatively impact the Central and University historic districts because parents locate their homes in areas where their youngest school children can attend. If Central closes the property values will drop, college housing will increase, and the downtown will suffer.

Another key is that Dale Larson of Larson Manufacturing has offered the school district \$500,000 for Central Elementary and \$2M to go towards a new elementary school. He would use Central for a Regional Children's Museum.

School principals gave a public informational meeting at this month's meeting on why they support grade-alike but the notice came out the same night as the meeting. Attendance is unknown. There is a push to make a decision on the Grade-Alike concept by January 2007.

There was discussion about the feasibility of a children's museum concept. Van Buren noted that other regional children oriented facilities are struggling (i.e. Sioux Falls Pavillion/Kirby Science Center, Pierre Science Museum).

Thornes said last May 2005 Barbara Hoium was a guest at the BHPC meeting. She expressed concern regarding the Brookings School District's proposal options which include closure of Central Elementary as an option. The BHPC prepared informational packets and provided them to the Preserve Brookings Board and School Board members. Jay Vogt, SHPO, also sent a letter regarding the impact the loss of Central Elementary would have on the two Brookings residential historic districts.

Thornes recommended the following action steps on this issue:

- 1) Attend upcoming School Board meeting - October 10th - 6:00 p.m.
- 2) Contact Larson Family representative about the concept and the BHPC concerns.
- 3) Prepare and deliver informational packets to any new school board members.
- 4) Contact the Preserve Brookings group.
- 5) Contact people in Central & University Districts - those with small children
- 6) Co-sponsor with DBI a facilitated neighborhood meeting put on by the National Trust about the importance of neighborhood schools.

**ACTION:** A motion was made by McCollough, seconded by Bibby, to co-sponsor an open forum with Central and University District residents facilitated by a National Trust specialist to discuss the importance of neighborhood schools and the impact on the community. All present voted yes; motion carried.

### **Brookings County 11.1 Review - Harvest Church**

Thornes reported that she had not received a case report from the County yet so this issue was delayed to the November meeting.

### **Commercial District –National Register District**

1) **DBI Report** - Bibby reported that at the last DBI meeting Doris Roden said the City was not planning to replace the old water and sewer under the street and had turned down the offer to create a Tax Increment Financing (TIF) District to fund the project. Thornes said that Roden's statement was misleading and would provide background information to the members

at the next meeting. In summary, Roden approached the city with the TIF concept but didn't identify the scope of the project or project boundaries. She wanted the designation to occur before November 1st so the First Bank and Trust building project could be included. City officials advised that months of planning must take place to create a TIF district and there wasn't time.

**2) Streetscape Project** - Thornes provided the members with the following summary and encouraged them to attend the October 10th City Council (5:00 p.m.) at which time the Council will be asked to provide direction on the scope of the project and level of owner participation required.

History:

In 2003, the City Council discussed the timeline and process steps for the Downtown Streetscape Project, which received a federally HUD grant of \$360,000. In 2003 and 2004, City Council appointed the Downtown Streetscape Committee and authorized Request for Proposals. Designworks, Inc. of Rapid City was retained for the Downtown Streetscape Project with Randy Fisher, Landscape Architect, updating the streetscape design and Carey Bretsch, Civil Design Inc. coordinating the civil engineering features. The design was presented to City Council in November 2004.

Utility Issue:

In December 2004, City Council approved a contract with Civil Design, Inc. to prepare a Facilities Plan for the Downtown Main Avenue Utilities Improvements. This analysis was not part of the original Downtown Streetscape Study but was intended to evaluate the cost of replacing any utility line that may be deficient. The rationale was that improvements made to the surface would not be disturbed by repair of underground utilities once the surface improvements are complete. The Facilities plan examined alternative options for construction of utilities, which included the water main, sanitary sewer main and water and sewer services. The Utility Replacement Plan does include replacement of curb and gutter, sidewalk and street surfacing.

Current Estimates:

Randy Fisher, Designworks, Inc. updated the cost estimate for the Streetscape Only Project. He used inflation percentages experienced in the industry since 2004 and estimated into the future, calculated on a total project basis. His estimate is as follows:

<u>Original Streetscape Cost Estimates</u>		<u>Cost estimates without sidewalks</u>
2004	Estimate	\$868,320
		\$1,200,000

2006	Plus 6.4%	\$1,276,800	\$923,892
2008	Plus 9.6%	\$1,399,373	\$1,012,586
2008	Including Signal	\$1,549,373	\$1,162,586

The figures include engineering fees and a contingency but no work on under-the-street utilities or utility service lines. The original estimate did not include replacement of the signals at 3rd & Main, which would be an additional \$150,000. The Master Plan contemplates 4-way stops at 4th and 5th Street, which costs are included in the estimate.

Carey Bretsch, Civil Design Inc. updated the cost estimate for the Utility Only Project (using 2006 dollars), which is the following:

Utility Project Cost Estimates (including sidewalks)

Cost of Services	\$301,493
Remove & Replace Watermain	\$206,985
Remove & Replace Sewermain	\$136,121
Remove & Replace Surfacing	\$532,518
Remove & Replace Curb & Gutter	\$ 51,567
Remove & Replace Sidewalk	\$364,580
Contingency & Engineering	<u>\$205,133</u>
Total Utility Project:	\$1,798,397

Discussion:

At this point in time it would be very difficult to meet a 2007 construction timetable, even for just the Streetscape. Some factors to consider:

- In order to begin construction on April 1st, bids should be let and a contract in place no later than Feb. 1st.
- The Master Plan we have is conceptual, in that specifics of materials, final design of intersections, street light selection and many other details are not finalized. Reaching consensus on these items will take time.
- Negotiating an architect/engineering contract and the final design and developing bid specifications would require a minimum of 150-180 days, and it should also include at least one more public meeting with property owners. A more leisurely design process would be advantageous.

- The amount of funding participation by property owners, if any, towards the cost of the streetscape, has not been determined at this time. Method of collection of these funds will require an assessment process.
- The Federal HUD grant is good until 2010, but that would mean the project should be completely done and paid for by that date. 2008 would be the preferred year to do the work, as some of it could extend into 2009 for completion.

City Manager Recommendation:

Staff will be available to bring the City Council up to date on the project and to answer questions regarding the issues. Staff will also need direction on the scope of the project and the manner to proceed.

Calendar.

- October 10th - City Council consideration of moratorium on animated signs
- Oct. 31-Nov. 5 – Pittsburgh – National Preservation Conference

Meeting adjourned at 7:40 p.m.

Submitted by Shari Thornes

**Brookings Historic Preservation Commission**  
**November 16, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Thursday, November 16, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Jerry McCollough, Alice Pittman and Stephen Van Buren. Shari Thornes, City Clerk, was also present.

Agenda. A motion was made by Bibby, seconded by McCollough, to approve the agenda. All present voted yes, motion carried.

Minutes. A motion was made by McCollough, seconded by Bibby, to approve the October minutes. All present voted yes, motion carried.

Next monthly meeting. December 13, 2006 at 4:00 p.m.

**University Week for Women Walking Tour.** Barb Telkamp asked if the BHPC would be willing to host/sponsor a walking tour during the 2007 University Week for Women. There was consensus to host a walking tour in a residential area. McCollough will work on the tour route and script. Possible dates are July 13, 14, 15 in 2007.

**Request from SDSU University Relations to use BHPC artwork.** Item was tabled. No one was present from SDSU.

**Commission Member Development Training:**

- **National Trust for Historic Preservation Conference.** McCollough & Van Buren will be attending the 2006 conference and will provide a written report to the Commission. It was noted that the 2007 conference is in Minneapolis.
- **Preserve America.** S. Van Buren reported that he had met with Doris Roden regarding the material packet for the stakeholders.
- **Update on Animated Sign Issue.**

On Wed., Oct. 11, McCollough met with Pastor Scott Miller to get background on the animated sign proposed to be placed in front of the First Lutheran Church at the head of Main Street. Pastor Miller explained his perspective on the process that had taken place leading up to

the application for a sign permit. He felt strongly that the church has tried to be a good neighbor, taking conscious steps to be sensitive to the needs of the neighbors in several ways: removing what he characterized as a blighted area to the rear of their property to construct an addition that addresses public and social needs; redirecting their lighting away from the neighborhood; and presenting the sign proposal, with design plans, to the neighbors individually prior to making application for a permit. He stated that the sign had been donated to the church, and the church had attempted to make it aesthetically compatible by having a stone cornice designed for the top with the name of the church on it (cost approximately \$ 5,000.). The animated sign would have a black background with white lights, and the message would fade in or out every few minutes. It would only be lighted during daylight hours. This design is what he said was presented to the neighbors for their comments. He said they met with all the neighbors but one, and there seemed to be general agreement with the design (McCollough noted that he failed to ask if by "neighbors" he meant just the abutting properties, or those within a few hundred feet of the church).

Pastor Miller stated that prior to the meeting with the Board of Adjustment, the church had delivered notices of that meeting to all neighbors.

There was clearly a sense of frustration in the public reaction to the church's proposal, to the point that the pastoral staff has stepped away from the issue and left it in the hands of the Church Board, and will only meet as a group now, not individually.

McCollough further noted that conversations with other involved with this issue have shown that there are felt to be a different set of facts than those expressed here. Clearly, relations between the church and neighborhood could be improved, and a different forum might help to pour oil on the water.

Given the concerns expressed at the Historic District Commission meeting, McCollough will contact Matt Asche, Chairman of the Church Board, to try to set up a meeting between the Church Board and the Historic District Commission. The objective will be to make the church aware of some of the broader implications of the sign proposal with which the Commission is concerned.

#### **Update on local jurisdiction over state-owned properties issue.**

McCollough reviewed the following report with the BHPC members.

#### **SDSU Board of Regents authority further described**

"In a further review of State Statutes following the preparation of my Aug. 8 report to you, I have found information which further clarifies the Board of Regents' authority vis-à-vis cooperation with the City of Brookings regarding construction/demolition of properties:

- F. The Attorney General did not address the question which was presented to him; rather, he copied the 1977 opinion written by the then Attorney General, William Janklow. That opinion describes "oranges" to our question of "apples". The 1977 decision related to a zoning question which could only be resolved through lawsuit, using as examples lawsuits from other states between private parties and governmental units. (The Board of Regents was exempted from zoning requirements for the specific reason that it couldn't be sued.) When dealing with two governmental entities, the rules are not the same.

The question at hand deals with construction/demolition permitting (not part of zoning law), and is an issue which can be resolved through (state mandated) mutual cooperation between the State and local governmental units.

- G. Cooperation, as listed in my previous report, is stated in **SS 12-8-1 (8)** "Cooperate with...any federal, state or local governmental agency." To prove that cooperation between local and state agencies isn't a minor issue, there is **SS 2-9-25 Commission on Intergovernmental Cooperation...** "...established to...confer with officials of other states, the federal government, and local units of government, to ...encourage and promote cooperation between...local governments in this state and the State government."
- H. As a general rule **SS 5-1** places all state owned property under the control of the **Dept. of School and Public Lands**, administered by the Commissioner of School and Public Lands. **5-1-7** "The commissioner...shall have the direction, management, and control of all lands heretofore granted to this state...and the disposition thereof."

Under **SS 5-2-2.1 Sale of realty by Board of Regents**, (a subsection under the authority of the Dept. of School and Public Lands) it states that "The Board of Regents...may sell extraneous real property subject to..." (the rules of the Dept. of Schools and Public Lands). This is one of the few "constitutionally authorized legislative 'rules and restrictions' " (see **Art. XIV 3-2-3.** in my previous report) granted to the Board of Regents, and provides them with limited authority in relation to State lands.

- I. **SS 13-49 State Board of Regents** states that they may manage their lands “According to the purposes for which they were established.” Those purposes are defined in **SS 13-58-1 South Dakota State University, Name and Location – Control of Regents – Programs and Instruction** states, “...South Dakota State University... shall be under the control of the Board of Regents and shall provide undergraduate and graduate programs of instruction in ...(list) and other courses or programs as the Board of Regents may determine.” Clearly, their purpose and authority is defined as primarily instructional, not the management of land and buildings, except as they relate directly to the primary purpose.
  
- J. Even though the Board of Regents may argue that the demolition of buildings on State land relates to SDSU educational purposes, it is clear from **SS 5-4-7**. that even the Commissioner of School and Public Lands (under which the Board of Regents is subsidiary) has the intent of cooperation with local governments. This section states, “Purposes for which (state) land may be placed under local administration... Whenever it shall be the opinion of the Commissioner... he shall, if in his opinion the interests of the citizens of the community can best be served, provide...for soil conservation purposes, public parks or for the purposes of providing a children’s recreational playground...”. The Statutes recognize that there are instances where the State interests may best be sublimated to those of the locality to serve the greater public purpose.

In Summary, State Law intends for there to be cooperation between State and local governmental entities, and established the Statutes in a fashion that provides for dialogue between the State and the municipality relating to physical changes on State property. That dialogue would normally be between the Commissioner of Schools and Public Lands and the City of Brookings unless the Board of Regents could prove to the Commissioner’s satisfaction that the proposed change is directly related to their instructional programs. If so, then the Board of Regents would need to discuss with the city issues relating to: building demolition permits, engineering (affects on utilities, access, drainage, foreign materials on roadways tracked there by construction vehicles), public safety (blocking or rerouting of traffic, disruption of fire hydrants, etc.), and Historic Preservation if applicable.

If, in the discussions between the Board of Regents and the City, there is an impasse, the issue can be brought before the Commission on Intergovernmental Cooperation to act as an arbitrator. A lawsuit is not necessary to resolve the issue; therefore, the conclusion reached by the courts in the 1977 zoning decision is not applicable."

A motion was made by McCollough, seconded by Bibby, to draft a letter to be sent to the Church Board expressing the BHPC position on animated signs in a residential historic area. All present voted yes; motion carried.

McCollough will be serving on the city planning commission sign subcommittee.

### **Historic Districts and Properties Update.**

#### **Central Elementary - Loss of neighborhood school impact.**

The Brookings Historic Preservation Commission discussed various official statements regarding the issue and agreed that the Chair would draft a statement to be circulated to the members before distribution.

**DBI Report.** It was noted that the BHPC representative was not invited to the Board planning retreat.

### **Announcements/Correspondence/Communications**

- *Forum News, Nov/Dec 2006*
- *The Alliance Review, Sept/Oct*
- *DBI Agenda, Oct 2006*
- *Forum Journal, Fall 2006(check-out)*
- *Preservation, Nov/Dec 2006 (check-out)*
- *Common Ground, Fall 2006 (check-out)*
- *SD History, Fall 2006 (check-out)*

### **Proposed Future Agenda Topics:**

- Presentation of Master Plan and Overview of Boardinghouse designation by Dan Hanson, City Planning & Zoning Administrator
- Boever House located on Sixth Street & 7th Avenue

Meeting adjourned.

**Brookings Historic Preservation Commission**  
**December 13, 2006**

A meeting of the Brookings Historic Preservation Commission was held on Wednesday, December 13, 2006 at 5:00 p.m. in City Hall. Members present: Mary Bibby, Carrie Van Buren, Wayne Hexem, Jerry McCollough, Alice Pittman, and Stephen Van Buren. Shari Thornes, City Clerk, was also present.

Agenda. A motion was made by Bibby, seconded by Hexem, approve the agenda. All present voted yes, motion carried.

**Next monthly meeting. Thursday, January 11, 2007 at 4:00 p.m.**

**Preserve America.** The City Council will take action on January 9th authorizing the City Manager to sign the grant document. BHPC members will need to attend the meeting in case City Council members have questions.

**Animated Signs.** At the direction of the City Council, the City Planning Commission has formed a subcommittee of 10 people to study the sign issue. Jerry McCollough has been designated to represent the BHPC on the subcommittee. Dick Peterson has been named as the subcommittee chair. He is a former chair of the Planning Commission and is the current chair of the Board of Adjustment. McCollough is concerned about the committee's composition because one member is an attorney hired by Daktronics to handle the public relations on this issue. The group has met once and is scheduled to meet again in January. At that time they will tour Daktronics.

**University Week for Women Tour.** McCollough volunteered to coordinate a tour on June 14th for one class commencing at 1:30 p.m. Since the tour he proposed isn't one of the existing brochures, he will prepare a tour handout.

**Central Elementary.**

**ACTION:** A motion was made by Bibby, seconded by McCollough, to submit the following resolution to the School Board, City Council, and media. All present voted yes; motion carried.

*TO: Brookings Board of Education Members*

*CC: Brookings City Council*

*Brookings City Manager*

*Local Media*

*State Historic Preservation Officer*

FROM: Brookings Historic Preservation Commission  
RE: **"Resolution Regarding Central Elementary School"**

On December 13, 2006, the Brookings Historic Preservation Commission unanimously adopted the following resolution regarding Central Elementary School and requested it be provided to the Brookings Board of Education, Brookings City Council, and local media.

**"Since 1936, Central Elementary School has been an important anchor of the Brookings community and the surrounding historic neighborhoods. The Brookings Historic Preservation Commission regrets the possible closure of Central Elementary as a functioning neighborhood school."**

Sincerely

Carrie Van Buren  
Brookings Historic Preservation Commission  
Chair

Brookings Historic Preservation Commission Members

R. Wayne Hexem, Vice Chair  
Stephen Van Buren  
Mary Bibby  
Aice Pittman  
Jerry McCollough

cc: City Manager  
City Clerk  
State Historic Preservation Office

**11.1 Review - Harvest Church.** ACTION: A motion was made by McCollough, seconded by Bibby, to make the following official comment. All present voted yes; motion carried.

December 18, 2006

Mr. Jay Vogt  
State Historic Preservation Officer  
900 Governor's Drive  
Pierre, SD 57501

**RE: Section 11.1 Review  
Harvest Church - Central Residential Historic District**

Dear Mr. Vogt:

On December 13, 2006, the Brookings Historic Preservation Commission reviewed the Case Report prepared by the Brookings County Commission regarding the removal of the Harvest Church in the Central Residential Historic District.

The following official comment was unanimously adopted by the Commission: " The Commission voted to agree with the findings of the case report contingent upon the following:

- 1) The County use Parking Lot Plan #2 with access off the alley with 90 degree spaces. Signage should direct people to access and exit the lot from 7th Avenue. Signage should encourage exiting back to the west and not through the residential alley.
- 2) Only 50% or less of the land should be paved and the remainder consist of appropriate residential landscaping. Installing a hedge along the west perimeter of the lot similar to the property to the north was suggested. This would provide continuity with the residential area and further screen the hard surface parking.
- 3) The Commission is supportive of this request based on the above listed conditions, but officially expressed concern that no further residential structures be removed in the vicinity because of the threat to the integrity of the adjacent neighborhood."

If you have any questions regarding this decision, please call me at 697-8641.

Sincerely,

Shari Thornes

Brookings City Clerk

cc: City Manager  
BHPC  
Brookings County

**Boever House - 7th Avenue & 6th Street.** Thornes reported that she had met with a representative of the First United Methodist Church regarding this property. The Church purchased this property and plans to sell it to be removed in 2007. McCollough said he had prepared a report and proposal on this topic. Members asked this item be scheduled for the January meeting. (Bibby left at 5:10 p.m.)

**Nominating Committee.** Hexem, Bibby and S. Van Buren agreed to serve on the nominating committee. The committee will present a slate of officers for action at the January meeting.

**Annual Reports.** Thornes will be preparing the state and city annual reports for submittal in February.

Meeting adjourned at 5:18 p.m.

Submitted by Shari Thornes

## *2006 Workshop Project*

*Downtown Brookings Inc.*

# *Doors Open Brookings*

The Doors Open Brookings event, April 28 and 29, 2006, was held throughout Brookings downtown featuring a flea market, antique appraisal, preservation workshops, garden talks, activities for kids, entertainment, food and prizes.

The BHPC financially co-sponsored one of the instructional workshops -- Antique Frame Restoration, by Chad Mohr. The BHPC provided \$100 for advertising costs. Over 2,000 attended the 2 day event with 20-25 stopping in for the workshop on frames.

An advertising flyer is enclosed.

Insert

## City of Brookings

### SDCL 1-19A-11.1 Internal Notification and Review Process

1. Building plans or a permit request are submitted to the City Engineer's Office (i.e. Building Officials, Board of Adjustment request and Planning Commission action).
2. Determine Location.  
City Engineering contacts the City Clerk to determine if the project or action is located within or adjacent to the following properties or areas. The Brookings Historic Preservation Commission will provide an updated listing of Brookings sites.
  - A. National Register of Historic Places District.
  - B. National Register of Historic Places individually listed property.
  - C. State Register of Historic Places individually listed property.
3. Determine if project/action requires review process.  
According to the State Historic Preservation Office, the following projects and/or action would require an 11.1 review. When in doubt about project impact the State Historic Preservation Office will offer advice prior to official notification.
  - A. Rezoning.
  - B. Moving permit.
  - C. Demolition permit.
  - D. Major alteration of structure owned by state or local government to include school districts (ie. building permits)
  - E. Municipally funded activity (ie. street widening, park, street lights)
4. Notify State Historic Preservation Office.  
The City Manager notifies the State Historic Preservation Office of the proposed project or action. The City Clerk is responsible to meet with the owner to obtain the following information for the notification.
  - A. Basic description of the action and/or project.
  - B. Perceived impact on the historic district or structure (adverse or no effect).
  - C. If the impact is recognized as potentially adverse explain why this action is necessary.
  - D. Provide all alternatives considered and rejected.
  - E. Photographs of the site and surrounding historic resources.

F. Any plans, drawings, etc.

**Jay Vogt**  
**State Historic Preservation**  
**Officer**  
**900 Governor's Drive**  
**Pierre, SD 57501-2217**  
**(605) 773-6005 phone**  
**(605) 773-6041 fax**

5. Notify Brookings Historic Preservation Commission.  
The City Manager's Office will provide a copy of the state notification to the Brookings Historic Preservation Commission. To expedite the process, the Manager will request official comment from the Brookings Historic Preservation Commission at their next regularly scheduled meeting provided the State requests comment.

6. State Response.  
The State Historic Preservation Office is required to respond within 10 days of notification with the following response options.

1. No effect – review is completed.
2. No response – review is completed.
3. Request for additional information.
4. Adverse effect.

7. Determination of Adverse Effect.  
The City will be obligated to file a full or abbreviated Case Report with State Office. The City Manager's Office, working with all appropriate departments, will complete the Case Report. Please refer to the "Guidelines for the Preparation of Historic Preservation Case Reports" to prepare the Case Report.

Please note the local Preservation Commission's official comment is required in the case report. A public hearing may be required.

8. State Response (within 10 days).  
State issues determination on Case Report.  
A. State considers all factors to be addressed, the project may proceed as described in the Case Report. review completed

B. State considers all factors have not been addressed and requires the Case Report be revised and resubmitted.

9. Review Completed.

The City may take action on the proposed project or action at the completion of the review process.

A. Take action on building permit application.

B. Place item on Planning Commission agenda (rezoning). Present review information to Planning Commission