

Terry Valley Landowners Association  
P.O. Box 186  
Lead, SD 57754  
605-580-0122  
Website: [terryvalley.org](http://terryvalley.org)

The annual meeting of the Terry Valley Landowners Association and the informational portion of the May 2, 2023 Annual Road District Meeting was called to order on Saturday, June 24, 2023 at 4:40 p.m. at the Deadwood Chamber of Commerce Conference Room by President Jon Torgerson. Landowners Association Directors present were Jon Torgerson and Janell Berg and Absent were Peder Torgerson and Rustin Nordsven. Road District Trustees present were Janell Berg and Craig Malon and Absent was Susan Szutz.

The Terry Valley Landowners Association handles all building permits, adherence to the development's Covenants, Resolutions, Regulations, Ordinances, Rules and other general development matters.

Coeur Wharf Mining Environmental Manager Matt Zietlow was unable to attend and discuss ongoing mining operations.

The minutes of last year's annual meeting held on June 11, 2022 were reviewed as approved by the Board on 6/27/22.

General Manager Mike Hale gave the financial report for the year 2022. The Association remains in good financial condition. We have approximately 218 Business/Rental properties and 42 Private cabins. At present we have 4 property owners delinquent on 2023 membership fees out of a total of 260 owners. No new building permits are currently in process.

Garbage Collection continues to be a significant problem at many properties. Kieffer Sanitation and Sander Sanitation are currently the garbage providers. Lighter weight garbage containers cannot be used. More sturdy garbage containers with wheels and securely attached lids can be ordered from the garbage providers. The boards of Trustees and Directors will continue to monitor garbage collection services and explore uniform requirements including garbage containers with attached lids and storage racks.

Mike reported that the entire development will again be sprayed for noxious weeds. Spraying will start around mid July. A 75 to 80 percent kill is expected annually by Lawrence County. Property owners wishing to not participate in the spraying program will be responsible for clearly marking their property not to be sprayed indicating that they will handle their noxious weed control. The intensity of the bark beetle infestation remains low and further spraying will be evaluated on an annual basis in consultation with Lawrence County Invasive Species.

There is ongoing concern regarding dead trees and other combustible materials within the Development. It is imperative that all dead material be removed for the health of the forest and fire prevention. The Board is in consultation with the Lawrence County Wild Fire Division. You can contact them (Jordan Harrington) at 605-584-2300 ext 216 for property evaluation and cost assistance in cleaning up your property of dead trees and brush. The property owners who remove these materials from their properties themselves can haul them to the rubble site outside of Lead. To reach the rubble site, take the first turn to the right after passing Lewie's Bar and Grill going toward Lead. Follow the road to just past the Kirk Trailhead, take a right turn and follow the road about three miles. The rubble site is on the left.

The Rules and Regulations dated July 1, 2021 remain in force and are posted on our website at [terryvalley.org](http://terryvalley.org). **Please thoroughly read** and post in a very visible location for your guest's information.

A new TVLOA RESOLUTION/ORDINANCE 2023 – 1 has been legally approved and adopted pursuant to ARTICLES OF INCORPORATION OF THE TERRY VALLEY LANDOWNERS ASSOCIATION under SDCL Ch. 47-22 of the South Dakota Nonprofit Corporation Act. Per the provisions of that Act the Board of Directors has the power to pass all necessary ordinances, resolutions, orders, rules, and regulations for the proper management and conduct of business of the Terry Valley Landowners Association. Based on the need to regulate traffic, protect and maintain the roads with the limited tax base available to the District, the District has adopted the following:

REGULATION 1000-1: The Board of Directors for Terry Valley Landowners Association has complete discretion to (a) Maintain Common Roads; and (b) Fix charges for lots in the area.

REGULATION 1000-2: The Terry Valley Road District tax basis is limited such that maintenance and construction of the roads has been spread over a limited number of properties. The current Road District roads have been constructed and asphalt milled through assessments, fees and property taxes previously paid by existing Road District properties. If any Road District Road is used to obtain access to a property not part of the Road District that property will be assessed, in addition to the regular HOA assessment, an additional annual HOA assessment equivalent to the annual assessment the Road District places upon like properties within the ROAD DISTRICT.

A motion was made by Bob Blue and seconded by John Weigelt to appoint the slate of directors as presented for the upcoming year. The directors include Janell Berg, Jon Torgerson, Pete Torgerson, and Rustin Nordsven. Jon Torgerson will serve as President and Janell Berg will serve as Vice President. Motion carried.

### **Road District update**

The Terry Valley Road District handles all road maintenance and related matters and is by law a governmental subdivision of the State of South Dakota. The annual meeting of the Terry Valley Road District was held on Tuesday, May 2, 2023, as required by State Statute.

The Road District includes 255 members of which 182 are business/rental properties, 30 private cabins, 9 primary residences, and 34 bare lots that are not contiguous with a residential structure.

The 2022 financial report was reviewed. The Road District is in good financial condition.

The current Road District Trustees are President Janell Berg, Craig Malon, and Susan Szutz. All Trustees hold three year rotating terms.

The Terry Valley Road District Board of Trustees renewed the Stuen Excavation and Hauling Inc. Ongoing Road Maintenance Contract for complete Winter and Summer Road Maintenance on all Road District Roads within the Development.

The State of SD DOT Road Signage Upgrade Project has completed their review of our Road District Signage with minor changes recommended. Signage will be updated and replaced during the summer of 2024. All costs will be covered with government grant monies. To meet current speed limit recommendations all speed limit signs will be changed from 15 miles per hour to 20 miles per hour.

The Lawrence County Commissioners approved the Terry Valley Road District's request to add Antelope Trail, Eagle Trail, and Blue Sky Loop to the Existing Road District.

A new TVRD Resolution/Ordinance 2023 – 1 has been legally approved and adopted by the Terry Valley Road District pursuant to SDCL 31-12A-22. Pursuant to that Statute the Board of Trustees has the power to pass all necessary ordinances, resolutions, orders, rules, and regulations for the proper management and conduct of business of the Terry Valley Road District and based on the need to regulate traffic, protect and maintain the roads with the limited tax base available to the District. As a result, the District has adopted the following:

Regulations Regulating Access to Terry Valley Road District Roads and certain activities within Road Right of Ways:

No access shall be permitted to connect roads within the Terry Valley Road District to other roads or easements located outside the boundaries of the Terry Valley Road District, even if such roads or easements are accessible through property within or adjoining Terry Valley Road District. If access to roads outside of the Terry Valley Road District are established after an access is permitted, the Board of Trustees has the authority to terminate the permit for access and landowner shall pay to have the access removed.

The Road District tax basis is limited such that maintenance and construction of the roads has been spread over a limited number of properties. The current roads have been constructed and asphalt milled through assessments, fees and property taxes previously paid by existing District properties. If any existing access is used to obtain access to real property outside the District boundaries, there shall be an annual assessment charged to all such real properties equivalent to any assessments the District places upon like real properties within the District. If any existing access point causes damages to existing Road District roads, culverts, drainage ditches or any other specific damages, the owner of the access lot will be assessed additional costs incurred by the Road District to correct any and all damages to existing Road District roads and drainage ditches through additional annual assessments.

MINUTES OF THE ANNUAL MEETING AND THE CURRENT RULES AND REGULATIONS AS WELL AS OTHER IMPORTANT DOCUMENTS ARE POSTED ON OUR WEBSITE AT [terryvalley.org](http://terryvalley.org).

Meeting was adjourned at 6:35 pm.

Respectfully submitted,

Michael J. Hale  
Secretary/Treasurer

Contact information you may be interested in knowing:

Road District Contractor - Leroy Stuen Excavation	605-641-1930
Driveway Snow Removal - Leroy Stuen Excavation	605-641-1930
Leroy Singer	605-920-9843
Dennis Page	605-645-2043
Tree/brush removal - Leroy Stuen Excavation	605-641-1930
Leroy Singer	605-920-9843
Dennis Page	605-645-2043
Terry Trojan Water District (Address changes & Billing)	605-722-7560
(Water Problems)	605-580-1078
Lawrence County Equalization (Address changes)	605-578-3680
Lawrence County Invasive Species - David Heck	605-642-1976
Black Hills Pioneer Newspaper subscription	605-642-2761
Lawrence County Sheriff's Department	605-578-2230
Game, Fish & Parks - Mountain Lion Sighting or Encounter	605-394-2391
Coeur Wharf Mining Questions & Concerns	605-584-1441
Matt Zietlow, Environmental Manager	775-304-1682
SD Wild Land Fire Office - Burning Permits (issued between Nov 1 and May 1 with 2" snow cover) and Fire Pits, Incinerators, and Outdoor Fireplaces, etc. Regulations and Permits required from State	
Ray Black	605-584-2300 Ext 219
Cody Griffie	605-584-2300 Ext 218
Forest Fire Fuel Evaluations (Dead Trees/Branches/Brush Cleanup Benefits)	
Jordan Harrington	605-584-2300 Ext 216
Department of Agriculture & Natural Resources (Leaking Septic Systems Resolution)	605-773-3351
Sander Sanitation Garbage Service	605-673-3174
Kieffer Sanitation Garbage Service	605-892-4635
Electrical Power Outage - Black Hills Energy	888-890-5554
MDU - Smell of gas	911
SD Dept of Health (Charlotte Johnson)	605-394-5288
Before You Dig Locator Service	811
Mid Dakota Vegetation Weed Spray Service	605-530-8089
Dakota Tree Spray Service (Lonny Koster)	605-578-1700
Ed Conover - Weed Whacking, Mowing, Trimming Raking & Snow Removal	605-920-0240
Garret Boline - General Construction Contractor - Smaller Jobs - windows, doors, etc.	605-645-7036
The Bug Guy Insect Control (Jake)	605-695-9560