

Terry Trojan Water District Board Special Meeting

February 8, 2021 at 4:00 pm at the Deadwood Chamber Conference Room

Present: Berg, Hale, Key, London, Ryan, Jon Torgerson, Peder Torgerson.

Also Present: Derosier, Asmussen, and Striebel.

All Motions passed unanimously unless otherwise stated.

Chairman Berg called the Meeting to Order and had Roll Call.

M/S Peder Torgerson, Berg to approve the Minutes of the January 25, 2021 meeting.

Hale noted an issue brought up in the 1-25-21 Minutes and requested board action on the issue. The Board has been discussing the "Conflict of Interest" issue regarding the Districts Engineer, AE2S. The board has approved Matt Wood to use AE2S for his current expansion on Last Chance /Last Chance.

M/S Berg, Ryan to approve the addition to the Ordinance: From this point forward the Engineering firm that represents the TTWD can NOT represent another party bringing development plans and designs to the TTWD. They must use a different engineering firm for their representation therefore avoiding any Conflict of Interest.

M/S Peder Torgerson, Key to approve the Financials for the month of January, 2021.

Petition and Election Rules: Derosier stated that Janell Berg, Peder Torgerson, and Bill London's terms expire on April 30, 2021. They can start circulating Petitions now and the Petitions must be returned by Feb 26, 2021. Three signatures from Registered Voters within the Terry Trojan Water District are required on each Petition. A voter can sign up to 3 Petitions since there are 3 Board Positions up for election. If more than 3 Petitions are returned by the deadline, then an Election will be held on the second Tuesday in April. The Clerk left the Meeting to make copies at 4:40 and returned at 4:50 pm.

Board's Response to Matt Kirk Phase 1 - Easement #1 Maintaining Access Road: The Board discussed the letter that they had Roger Tellinghuisen send on November 10, 2021 to the 10 Homeowners on Lost Camp Trail affected by snow removal on the utility access. They felt it was not in the best interest of the District to pursue the "Snow is an Obstacle" in Court. **M/S Jon Torgerson, Peder Torgerson** to authorize Tellinghuisen to send the letter stating that the TTWD will not remove the snow on the access easement.

The Board had a lengthy discussion concerning any additions to the Water lines of the TTWD. **M/S Berg, Peder Torgerson** to add the following requirement to the **District's Ordinance:** Every time anyone wants to make modifications to the TTWD, then a signed contract stating all items that the developer has agreed to including an insurance instrument to ensure compliance will be required. This agreement will be prepared by the District's attorney at the developer's expense.

Board's Response to Matt Kirk Phase 2 Easement Approved: This Easement was not approved by the board, it was copied from the first and second easement for Phase 1, then doctored up by Kirk. The

intent of the board was to approve the easement prior to recording however, the minutes don't clearly state that. Consequently, the board will allow Kirks Phase 2 development to hook onto the system even though the easement was not approved.

In the future, the Clerk will email the Minutes in advance of the next Board meeting to Derosier who will send them on to the Board for any additions or corrections. This will ensure that the Minutes are accurate and reflect the Board's decisions.

Last Chance/Last Chance Wood Development and Looping: Derosier received a Technical Memorandum (copy attached) from Dustin Dale asking about looping and if the District requires it and if Wood is required to take the water main to the end of his property. Dale's Memorandum explored possible options for this development and pros and cons of each. The Board directed Derosier to contact Dale and inform him that there are 2 property owners adjacent to his lot who may want to participate in the water line. The Board will follow the Section N 43 of the Ordinance which states that dead-end Mains longer than six hundred feet are expressly prohibited and require looping.

M/S Key, Jon Torgerson To Adopt into the TTWD Ordinance The City of Rapid City's Infrastructure Design Criteria as it pertains to water systems.

Miscellaneous: M/S Key, Berg to correct the April 2019 Annual minutes reappointing Jon Torgerson rather than Peder Torgerson as reflected in the minutes to a 3-year term on the Board.

M/S Key, Hale to post the Agenda for Board meetings at the Deadwood Chamber office 24 hours in advance of any regular or special public meetings.

Hale asked Derosier to contact the Deadwood Chamber to see if they would agree to allow the TTWD to hold all meetings at their conference room. If there should be a conflict, Hale recommends moving the TTWD date and not moving the meeting place.

Striebel stated that he had helped Derosier complete and send the renewal application to DENR for the Intent to Discharge Water Permit.

Annual Meeting; The Board set April 26, 2021 at 4 pm at the Deadwood Chamber Board Room as the time and place of the Annual Meeting.

Meeting adjourned at 6:15 pm.

Respectfully Submitted,

Pat Asmussen

Clerk/Treasurer