



Bruce Outka &lt;boutka@lawrence.sd.us&gt;

## Magnesium Chloride on Benchmark Road

8 messages

**Gary Phillips** <pinesatbenchmarkhoa@gmail.com>

Wed, Jul 7, 2021 at 3:02 PM

To: boutka@lawrence.sd.us

Cc: Stewart & Vicki Bofenkamp <spb1952@aol.com>, Doug Larson <larsdoug@yahoo.com>, Gary Phillips <gphillips.stat@gmail.com>, Dave & Kristine Downs <davedownshunts@yahoo.com>, arlyndyce@gmail.com

To: Lawrence County Commissioners

The Pines at Benchmark HOA board of directors (BOD) is requesting the Lawrence County commissioners and highway superintendent take over the responsibility and the expense of dust control ( MgCl<sub>2</sub>) along the 4,500 feet of Benchmark Road within our development each year. This is based on the following considerations:

- It has come to our attention that nearby Elk Ridge HOA does not pay for their MgCl<sub>2</sub> application on Corral Creek Road. The Pines at Benchmark HOA – BOD has found no written policy by Lawrence County which determines which residents and developments have to pay for the MgCl<sub>2</sub> application and those who do not. We would like clarification on why we are asked to pay for the MgCl<sub>2</sub> application and Elk Creek HOA is not.
- We have 51 lots within our development that access Benchmark Road within this 4,500 feet and pay property taxes to Lawrence County. Those with homes pay well above the \$1,851 median property taxes in Lawrence County.
- We get a lot of through traffic from other residents who live on Benchmark Road and Misty Meadows Road. Benchmark Road is also used as a shortcut between US 385 and Nemo Road by vehicles of all types, including service vehicles and especially ATV/UTV traffic. The campgrounds and increased ATV/UTV rental businesses along US 385 and Nemo Road have contributed to this increase in traffic.

Again, the Pines at Benchmark HOA-BOD, which represents 51 property tax owners, requests that Lawrence County take over the annual expense of dust control along the 4,500 feet of Benchmark Road within our development. We would also appreciate any refund of this year's charge since we were given the impression in 2019 by the Lawrence County highway department that they would be taking over the cost for dust control. Thus we were not invoiced for the MgCl<sub>2</sub> in 2019 and in 2020 so we did not budget for dust control in 2021. We were very surprised when we were told that we would again have to pay for the cost of the MgCl<sub>2</sub> application.

Please let us know what we need to do in order to bring a resolution to this issue.

Sincerely,

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Gary Phillips, Treasurer	C: (614) 208-8067,	Email: gphillips.stat@gmail.com
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Arlyn Dyce, Member-at-Large	C: (605) 209-1637,	Email: arlyndyce@gmail.com
The Pines at Benchmark HOA-BOD		

**Bruce Outka** <boutka@lawrence.sd.us>

Wed, Jul 7, 2021 at 3:11 PM

To: Gary Phillips &lt;pinesatbenchmarkhoa@gmail.com&gt;

Cc: Allan Bonnema <abonnema@lawrence.sd.us>, Richard Sleep <richard.sleep@ironcreeklake.com>, Randy Deibert <rdeibert@lawrence.sd.us>, Randall and LeAnn Rosenau <rosenau78@hotmail.com>, Brandon Flanagan <commishflan@gmail.com>, Bob Ewing <grnmtn1954@rushmore.com>, Brenda McGruder <bmcgrude@lawrence.sd.us>