

Stars and Stripes, campaign sign create a stir in Spearfish

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SPEARFISH | One week before Americans celebrate the nation's 240th birthday, a homeowners' association near this Northern Hills community is in a tiff with one of its members and an adjacent landowner over a campaign sign and 20-foot flagpole flying the Stars and Stripes and a POW flag.

The Aspen Hills Homeowners' Association says it's a matter of being a good neighbor. The man responsible for erecting the lighted flagpole and the Trump for president sign claims it's all about patriotism and the right to free speech.

Aspen Hills resident Alan Gross originally asked homeowners' association President Harvey Fayer for permission to place an American flag at the entrance to the development.

"I am very patriotic," said Gross, who bought his first farm when he was 17. "Even with all the things that are wrong with our country, I still love it. It's still the best place to live in the world. I think of all those who died for our country, who shed blood for our country, and the American flag represents how I feel about our nation."

Gross, 56, on Friday said he was dismayed and disappointed by the response to his request.

"I assumed it would be an easy, great conversation, but the answer I got was, 'Whoa, whoa, whoa, Alan, you can't do this. What if someone would be offended by the flag and sue us?'"

"My reaction was, 'Are you serious? Would someone really be offended by flying the American flag?'" Gross added with a sigh. "Someone in the association said, 'Why do we need a flagpole? This isn't a school or a courthouse.' At that point I saw I was going to have to take a different route."

So he did.

Gross contacted his friend Jason Ward, whose family owns private land directly across the road from the entrance to Aspen Hills, a private development of about a dozen homes and several dozen undeveloped lots four miles from Spearfish on Tinton Road. Ward enthusiastically endorsed the plan, gave permission to use the property, and asked if they could add a Trump campaign sign to the equation, Gross said.

On Memorial Day, Gross completed installation of the 20-foot-tall lighted pole with a 4-by-6-foot American flag. Nearby sits a 3-by-10-foot Trump campaign sign encouraging voters to "Make America Great Again!"

When Gross posted photos of the flag fluttering in the wind on Facebook, he said the response was overwhelmingly positive. Someone suggested adding a POW flag, which he did without hesitation. But, not everyone was on board.

In a June 11 letter to Gross from the Aspen Hills Homeowners' Association Board of Directors, President Fayer and the six other members objected to both the flagpole and the campaign sign.

"As a board, it is our responsibility to uphold the integrity and appearance of the development," the letter stated. "We feel that the placement of the flagpole and campaign sign does not enhance the development and may be interpreted that these items have been agreed upon by the members of the Aspen Hills Homeowners' Association. This is not the case."

The letter noted that, prior to installation, Gross had been asked to bring his request before the association membership at its annual meeting in September. Furthermore, the board said it was disappointed he had disregarded its request and chosen to proceed on his own.

“The board has also received a number of complaints from non-board members; both homeowners and visitors to the development, as to the placement of these items and what they potentially represent for the development,” the letter stated. “As a development, we cannot have individual homeowners/landowners taking matters into their own hands and doing what they want.”

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On Friday, Fayer said the dispute had nothing to do with the U.S. flag and everything to do with being a good neighbor.

“All of the board members are patriots,” Fayer said. “We love America, and we love the flag.”

Fayer said the homeowners' association simply wanted Gross to wait until members could consider his request and express their preference.

“All we asked him to do was please wait, and we'll take a vote,” he said. “If more people said, 'Go with the flag,' fine, we'll put a flag up. But just to be clear, this has nothing to do with not respecting the flag or wanting a flag. We're all patriotic, but we wanted him to be considerate of the neighborhood, to consider the feelings of the members of the association, and he didn't want to do that and went ahead and put it up anyway.

“It's a matter of being a good neighbor.”

Gross, whose uncle lost an arm at the Battle of Iwo Jima, has poles flying the American flag at his farm near Onida, on his camper and on a second home in Florida. He said he was so proud of the new flagpole he had worked so hard to install that he was heartbroken when he received the letter from the association.

“I was terribly offended, amazed and disappointed they were asking that the flagpole be taken down,” he said. “I can understand the objection to the Trump sign, but it's a matter of free speech and it will go away in November. But when they asked for the flagpole to be removed, they were messing with my patriotism; they were dealing with a whole different Alan Gross.”

Gross said the situation grew even more complex and disheartening on Flag Day, when his friend Jason Ward received a letter from the association's board encouraging him to rescind the permission for the flagpole and campaign sign he had granted to Gross.

In his response to the board, Gross noted that he and his wife, Angie, had chosen to live in the “Heart of America,” in the shadows of America's Shrine of Democracy, where VA facilities at Fort Meade and Hot Springs cared for our

nation's veterans, and where thousands who had sacrificed so much had found their final resting place at Black Hills National Cemetery.

"The sound of B-1 Bombers from Ellsworth Air Force Base can often be heard overhead to remind us the fight for freedom goes on every day," he wrote. "Apparently the board is embarrassed by our nation's flag and the campaign sign, so they have resorted to bullying tactics in order to get them removed ... I hope the signers of these letters are ashamed of themselves for trying their attempt to intimidate, but more so because of their blatant lack of appreciation for the precious freedoms that have been bought for all of us by the blood of patriots."

For his part, Ward said he was surprised to receive the letter from the homeowners' association, but has no plans to remove either item.

"I don't know if everyone in the family supports Trump, but I think our family likes him better than the other option," Ward said. "The flagpole will stay, I hope, and after the election season the Trump sign will go away."

Ward, a house builder, said he was not surprised that the installation of the flag and the Trump sign had created a stir.

"I am in the development business," he said. "Nothing surprises me anymore."