October 26, 2020

Mayor Steve Allender
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Dear Mayor Allender:

I write in regard to the upcoming Legal & Finance Committee Meeting scheduled for Wednesday, October 28, 2020. Item 14 on the meeting agenda is a resolution concerning several parcels of land located in Rapid City. Among the parcels is the land lease to Monument Health Rapid City Hospital, Inc. located at 915 Mountain View Road where the Behavioral Health unit is located.

The resolution as drafted is inaccurate in that it asserts that the lease of this parcel of land to Monument Health Rapid City Hospital, Inc. is in violation of the use restrictions contained in the deed by which the property was transferred from the federal government to the City. This assertion is completely inconsistent with the long standing position of the federal government and the plain language of the deed restrictions. Since at least 1951, the federal government has recognized that the use of this parcel of land as a hospital is entirely consistent with the restrictions contained in the deed. Documents from the United States Department of the Interior verifying the federal government’s position on this matter have previously been provided to the City Attorney. The recent change of view reflected in the undated letter from Regional Director of the Great Plains Regional office of the Bureau of Indian Affairs cannot alter the long standing view of the Department of the Interior as reflected in correspondence from the Department of the Interior’s Field Solicitor we have previously provided to the City.

Monument Health requests that the resolution be corrected to accurately reflect the fact that the use of the parcel at 915 Mountain View Road is consistent with the use restrictions contained in the Deed. The adoption of a resolution that misstates the historical position of the United States government regarding the long standing use of this parcel will not assist with the goal of rectifying past wrongs, but will only add confusion to the historical record.

Please forward this letter to all members of the Common Council for their review in advance of the Legal & Finance Committee meeting. Also, please include this letter as a public comment on the proposed resolution, both at the Legal & Finance Committee meeting and at any subsequent Common Council meeting where this resolution will be considered. Thank-you.

Sincerely,

Mike Diedrich
Monument Health Vice President, Government Affairs

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