

**FINAL**  
**LEGAL AND FINANCE COMMITTEE MINUTES**  
Rapid City, South Dakota

September 11, 2024

A Legal and Finance Committee meeting was held at the City Administration Center in Rapid City, South Dakota, on Wednesday, September 11, 2024, at 12:30pm.

A quorum was determined with the following members answering the roll call: Josh Biberdorf, Bill Evans, Kevin Maher, Pat Roseland, and Greg Strommen. Absent: none.

(NOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Agenda.)

**ADOPTION OF AGENDA**

Biberdorf moved to adopt Agenda. Second by Roseland Motion carried unanimously.

**GENERAL PUBLIC COMMENT**

None.

**CONSENT ITEMS** – Items 1-12

*Public Comment*

None.

- 1) Roseland moved to Approve [Minutes for August 28, 2024](#). Second by Evans. Motion carried unanimously.

**FINANCE DEPARTMENT** – *Daniel Ainslie, Director*

Evans moved to approve items 1-8. Second by Biberdorf. Motion carried unanimously.

- 2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Dennice Canaday (RSVP+), and Tracy Paige (Library)
- 3) This is for a 2005 truck to be scrapped in the Streets Department. The replacement vehicle is valued at \$372,000, but instead of reselling the vehicle, a condition of a \$160,000 grant that the City received requires that the vehicle be scrapped.  
[LF091124-01](#) – Approve Resolution No. 2024-070, a Resolution Declaring Property Surplus
- 4) This is a first addendum to the previously approved HUD agreement.  
[LF091124-03](#) – Authorize Mayor and Finance Director to Sign Addendum #1 to the Grantee Indirect Cost Rate of the FY24 Community Development Block Grant (CDBG) Funding Approval/Agreement
- 5) Ainslie recognized Dave Yuhas for his hard work and preparation for the audit. Tracy\_\_\_ summarized the financial statements and compliance audit. There were no findings in the compliance side of the audit. The internal controls part of the audit, there were two findings, which she detailed, but overall it was a successful audit process. Evans thanked the staff for the informative presentation the day before.  
[LF091124-04](#) – Approve the 2023 Financial Statements and Independent Auditor's Report for the City of Rapid City
- 6) This is for one Verizon tower that was assessed twice.  
[LF091124-05](#) – Approve Abatements from the Director of Equalization
- 7) This item was for several different properties abated by Code Enforcement.

[LF091124-07](#) – Approve Resolution No. 2024-066, a Resolution Levying Assessment for Abatement of Nuisances

- 8) There resolution is in support of a grant to reconstruct some of the trails at Mary Hall Park. The City applied for this grant in 2023 and wasn't awarded, but they are trying again this year.  
[LF091124-11](#) – Authorize Staff to Submit an Application and Authorize Mayor to Sign Resolution No. 2024-073 a Resolution in Support of the City of Rapid City's Application to the SD Department of Transportation for the Mary Hall Park Project

**COMMUNITY DEVELOPMENT** – Vicki Fisher, Director

Biberdorf moved to approve items 9 and 10. Second by Maher. Motion carried unanimously.

- 9) This is for an annual agreement with the SD Department of Agriculture and Natural Resources. Morgan Trombly administers this program and does a great job, according to Fisher, saying that Morgan is bringing more and more properties into compliance. The grant is primarily what funds Morgan's position.

[LF091124-09](#) – Authorize the Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement with the South Dakota Department of Agriculture and Natural Resources for the Air Quality Program

- 10) Nothing has changed from the previous presentation when the report was in its draft form.  
[24TP029](#) – Approve the 2025-2028 Transportation Improvement Program Final Report

**FIRE DEPARTMENT** – Chief Jason Culbertson, Director

Biberdorf moved to approve items 11 and 12. Second by Roseland. Motion carried unanimously.

- 11) [LF091124-06](#) – Authorize the Mayor and City Finance Director to Renew the Joint Powers Agreement (JPA) between the Department of Public Safety (DPS), Division of State Radio Communications, Pennington County, and the City of Rapid City

- 12) This is month 6 of cleaning up the books on old software. There will be more resolutions to come. Culbertson has asked for one-year timeframe periods of focus.

[LF091124-08](#) – Approve Resolution No. 2024-071, a Resolution Writing Off Uncollectable Ambulance Patient Accounts

**END OF CONSENT CALENDAR**

**NON-CONSENT ITEMS** – Items 13-16

*Public Comment*

None.

**PUBLIC WORKS**

- 13) Lysann Zeller introduced two consultants from the Sustainability Solutions Group, Chris and Sariah. Chris explained that Priority plan is already finished. From this plan, there were a number of priority actions that were completed. Now the focus is the comprehensive plan. He showed an I-90 corridor map. Currently there is community engagement underway. This is a three-phase plan, with phase 3 happening in the spring and summer of 2025. Within the plan, they will look at increase in renewable energy, retrofit existing buildings, emissions-free vehicles, etc. He gave GHG emissions by sector and fuel. Electricity is the biggest, which is generated by the burning of coal. There are future plans to eliminate reliance on coal. Economic benefits are enhanced resilience, increased property values, and long-term economic stability. There is unprecedented federal funding for the City to tap into. Strommen asked about the alternatives to coal reliance, and if those sources come from SD. Evans asked about the name "I-90 Corridor." Zeller explained that this was a line in the sand for an area of focus because the City has only just begun participating and a larger area was overwhelming to consider.

Evans moved to approve item 13. Second by Roseland. Motion carried unanimously.

[LF091124-02](#) – Presentation and Update on the EPA Climate Pollution Reduction Grant

**FINANCE DEPARTMENT** – *Daniel Ainslie, Director*

- 14) This item primarily includes the AFSCME and non-union wage studies that were done and those employees did receive cost of living increases. A part of this is also to set up a TID loan, and a couple of projects that are wrapping up this year.  
Maher moved to approve item 14. Second by Biberdorf. Motion carried unanimously.  
[LF091124-10](#) – Introduction and First Reading of Ordinance No. 6635, an Ordinance Regarding Supplemental Appropriation #5 for 2024  
[Item 14 to be heard at City Council Meeting on 9/16/2024]

**COMMUNITY DEVELOPMENT** – *Vicki Fisher, Director*

- 15) Changes were made from the previous meeting, and is now on the agenda for a second reading. Evans moved to approve item 15. Second by Roseland. Motion carried unanimously.  
[24OA006](#) – Second Reading and Recommendation of Ordinance No. 6631, an Ordinance Adopting Section 17.40.055 to Add Usable Open Space Requirements to the Office Commercial District for Multi-Family Dwellings and Assisted Living Centers  
[Item 15 to be heard at City Council Meeting on 9/16/24]
  
- 16) TIF and Planning Commissions recommends to approve. Mike Dugan gave a brief presentation on the TID numbers for the development. This will complete Reservoir Road up to the intersection of East Anamosa Street. This will open up a 156 single family home development, with some single-family housing. Fund costs just over \$7.8 million to finance, with a projected pay-off period of 15 years. Full repayment is projected to be in year 2039.  
Strommen asked about the City map slide and areas not included in the City limits. Fisher responded that these areas will need to eventually be developed. Evans remarked that he would like to see more density in the City rather than simply on the outskirts.  
Evans moved to approve item 16. Second by Roseland. Motion carried unanimously.  
[24TI003](#) – Approve Resolution No. 2024-064, a Resolution to Create Tax Increment Financing District and Resolution to adopt Project Plan for Ennen Housing Development TID No. 92 for Property Generally Described as Being Located at the Current Northern Terminus Reservoir Road  
[Item 16 to be heard at City Council Meeting on 9/16/24]

**ALDERMAN ITEMS**

Evans shared his opinion regarding South Dakota being the only state that rejected the \$70 million federal grant called the House Energy Rebate Program Grant, which would help citizens install solar panels on their homes.

**ADJOURN**

There being no further business to come before the Committee at this time, motion made by Biberdorf, second by Roseland and carried to adjourn the meeting at 1:15pm.