

-----Original Message-----

From: digdugki@aol.com

To: CouncilGroup@rcgov.org;

""<CouncilGroup""@rcgov.org><CouncilGroup@rcgov.org>

Sent: Mon, 5 May 2008 5:38 pm

Subject: Involuntary Annexation

Ladies and Gentleman,

My name is Doug Kinniburgh and as a resident of Pennington County, I write to you today regarding the proposed resolution to move forward on the forced annexation of the "doughnut hole" area on east Highway 44. My residence is on South Valley Drive and even though it is not in the boundary of the proposed resolution, I know that my neighborhood is among the next steps in the process.

First I would like to comment on the "doughnut hole". This hole was created when the City annexed the state property purchased for construction of US Highway 16B along with the voluntary annexation of the Plumb Creek Development. Annexation of the state property was a non-issue as the state retained full control of access and maintenance of this facility and thus no-loss, no-gain. With regard to the Plumb Creek Development, it is my opinion that voluntary annexation was the easy out for the developer who received a large settlement from the state for the purpose of building a service road to connect his development to the future intersection of Minnesota Street. The City annexed the property while the developer sold his shares to an unknowing party and escaped the settlement conditions with the money and no service road.

Secondly, I would like to discuss forced annexation. I believe that the City is taking the wrong approach instead of trying to offer some incentive to be voluntarily annexed. Most of the residents, myself included, that I have spoken to have a fear that the level of services will decrease with annexation. Currently, the County does an excellent job of maintaining our roads, bridges, drainage, and signing. The Sheriff's office also does an excellent job of patrolling our neighborhoods. In fact, we see a deputy on our street on a daily basis. With last Friday's snow storm, our streets were plowed long before the city maintained St. Patrick Street was plowed. We currently receive high marks on fire protection with the mutual aide agreement in place and excellent response time from both RV Volunteer Fire Department and the City of Rapid City Fire Department. We have RV Sanitary Districts service of water and sewer including excellent water pressure with RVSD pump house located on our street. With regard to water and sewer, we also fear getting caught in the same predicament as Copperfield is with paying higher rates than the rest of the city residents.

Last item I would like to comment on at this time is the benefit to cost figures that seems to be missing from the staff report on the proposed recommendation to annex. The cost of additional services was listed out and then summarized as negligible but there were no dollar figures given for the revenue generated by the property taxes for the city. I know that a 5% increase in my property taxes times the number of residents along this street will not even come close to paying for the annual full time fire department costs listed in

the report. Where do the actual numbers indicate for b/c ratio?

Please consider working with our neighborhood rather than forcing annexation. Please call if you have any questions or would like to discuss. I too will conduct more research as the process moves forward to offer additional comments in the future.

Sincerely,
Doug Kinniburgh
3010 S. Valley Dr.
Rapid City, SD 57703
605-484-1245

DEVELOPMENT SERVICES CENTER

Growth Management Department

City of Rapid City

300 Sixth Street, Rapid City, SD 57701-2724

Phone: (605) 394-4120

Fax: (605) 394-6636

Web: www.rcaov.com

**ANNEXATION
PROCEDURES**

PETITION FOR ANNEXATION

We, the undersigned, hereby state that we constitute not less than three-fourths of the legal voters and further constitute the owners of not less than three-fourths in value of the within described territory contiguous to the City of Rapid City and hereby petition the Common Council of the City of Rapid City to annex the following described territory pursuant to SDCL 9-4-1.

Legal description of property:

LOT A OF LOT 8 OF LONG ACRE SQUARE SUBDIVISION, SECTION 8, T1N, R8E, BHM, PENNINGTON COUNTY, SOUTH DAKOTA

No!

Please print name below

NAME:	DATE: <i>5/18/08</i>
ADDRESS: <i>No</i>	SIGNATURE: <i>Gary & Schell</i>

Please print name below

NAME:	DATE: <i>5/18/08</i>
ADDRESS: <i>No</i>	SIGNATURE: <i>[Signature]</i>

Please print name below

NAME:	DATE: <i>5-18-08</i>
ADDRESS:	SIGNATURE: <i>[Signature]</i>

Please print name below

NAME:	DATE:
ADDRESS:	SIGNATURE:

Please print name below

NAME:	DATE: RECEIVED
ADDRESS:	SIGNATURE: MAY 20 2008

SIDWELL ID: 3808232008 - SCHELL, GARY & RETA

**Rapid City Growth
Management Department**

OPEN LETTER TO THE PENNINGTON COUNTY COMMISSIONERS

Following the Rapid City flood in 1972, it became painfully obvious that homes located on the floodway and flood path were always going to be in danger of flooding again. Among the 238 lives lost was my father, Harold P. Elliott. Using a variety of federal and local funding, Rapid City began a long effort to remove all homes and businesses in the floodplain and converted a major portion of the land into parks, baseball and soccer fields. This has resulted in one of the more beautiful cities in the United States.

Other flood plain areas not located in the city limits were not so fortunate. One of them, the South Valley Drive area, is one of the most blighted areas in South Dakota. People living in ramshackle mobile homes are not allowed to replace them because they are in the flood plain. Each year they deteriorate more, the rents are lowered even further and society's most unfortunate move in. The result has been a community disaster. Drugs are rampant, crime is everywhere and youth gangs have even committed murder.

In addition to these problems, the State has removed the secondary access to South Valley Drive, which formerly allowed emergency vehicles to come in from the Elks Golf Course. The recent heavy rainfall almost closed South Valley Drive because Rapid Creek was overflowing the bridge. There is no other only way out.

Rapid City wants to fill in the "doughnut hole" on the map which would allow them to expand further to the east. While they are willing to "adopt" this neighborhood without the approval of the residents, they should be willing to address this community's needs before annexation occurs.

The taxes that Rapid City seeks from this area will partially fund the Parks Department. This money will be spent on west and central Rapid City because that is where the parks are located. There is no park in East Rapid City.

The perfect location for a park would be in the blighted area of South Valley Drive next to Rapid Creek. It could be as beautiful as Canyon Lake Park. To do this, a plan must be put together that would involve several sources of funds similar to the ones used after the Rapid City flood. A letter is attached from Barbara Garcia, Head of Rapid City Community Development which outlines some of the possible sources of funds.

The time to do this is BEFORE annexation. To maintain any leverage, the County Commissioners should negotiate an agreement with Rapid City before they approve any annexation. Without the Commissioner's approval, the unplatted areas cannot be annexed. It is highly unlikely that the city would move forward with annexation while leaving out the numerous unplatted Ag land "holes".

I suggest we all work together to develop a plan that will provide a safe neighborhood for South Valley Drive.

Ray Elliott

May 28, 2008

To: Ray Elliott

Re: Your request for information on Community Development Block Grant (CDBG) funds, as they relate to housing programs and blighted land

Attached please find some information on the Community Development Block Grant program that you inquired about.

Please keep in mind that these funds can only be used inside the corporate limits of Rapid City, and the area you discussed is outside the corporate limits.

The types of projects you mentioned – relocation, blight clearance of land, housing assistance, rehabilitation or repairs to housing, and purchase of land are all eligible activities, but that eligibility also depends on who is doing the project (non-profit agency, for-profit agency, individual, etc), who is being served by the project, how the project will be carried out, and where the project is located.

The amount of dollars available also affects what projects may be accomplished, as funding is limited and continues to decrease. The City's allocation from HUD has dropped from \$680,000 in 2001 to \$488,747 in 2008, a 28% reduction.

Most of the projects you have discussed are "big ticket" items that will require large sums of money to accomplish, and the amount of CDBG funds that would likely be funded to any one project would not come close to covering the costs, so other funding sources would have to be found. Most funding sources for the type of projects you discussed would require the involvement of a non-profit organization.

Regarding relocation of tenants, it is a very expensive proposition, with many legal requirements attached, unless the lease is up and a tenant has been given proper legal notification of the landlord's decision not to renew their lease.

If a tenant wishes to pursue homeownership, there are non-profit housing agencies that assist low-income people in preparing and qualifying for home loans and provide down payment and closing cost assistance for the purchase of a home. They also build affordable homes for sale. Habitat for Humanity, Teton Coalition, the Rapid City Community Development Corporation and Neighborhood Housing Services of the Black Hills are all non-profit housing agencies who develop affordable housing and would be good partners for developing a plan for revitalization of an area and accessing funding from other sources for that revitalization. Habitat, Teton and Neighborhood Housing all work both inside and outside the City limits of Rapid City. If tenants are interested in

moving out of substandard housing, but have barriers to traditional assistance programs, a non-profit agency could be approached to work with landlords and tenants to address and overcome the barriers so that they can access other housing options. Such a program is in the initial discussion/planning/set-up stages now and may be available in the near future.

Funding for projects and the people to do the "work" is and always will be the most challenging part of solving any problem or need. However, there are non-profit agencies providing some of the services already, and who are willing to work with others to identify solutions to the needs of the community. I would be happy to put you in touch with any of the agencies who might be able to help you, once you have more specific projects.

There are grant funds available through foundations, federal, state and local governments and other private organizations for many different types of projects, but there are specific guidelines for each, so without specific, detailed information about what the needs or projects are, it is difficult to tell you what is available. If you would like to get some ideas about what types of grants are out there now, you can do a "google" search for "grant funds relocation or housing", whatever type of project you are interested in. You can also go to www.grants.gov for a full listing of federal grants that are available.

You can also get a good idea of the types of revitalization projects and how they are being done in other communities by going to www.knowledgeplex.org or www.nw.org.

I hope this information is helpful.

Barbara Garcia
Community Development Specialist

Attachment: Community Development Block Grant funds

Community Development Block Grant Funds

The City receives CDBG funds from HUD each year. There is a competitive application process each year for those funds. Applications are due to the City by October 15th of each year, unless the 15th is on a weekend, then the due date is the Monday following the 15th.

CDBG allocations to the City have decreased every year for the past 7 years. The City's allocation from HUD for 2008 is \$488,747. We estimate \$6,400 in program income and we have reallocated \$60,000 of unspent funds from previous years for a total of \$555,147.

CDBG funds may only be used for projects:

- within the corporate limits of the City of Rapid City;
- for activities that meet a HUD national objective
- a high priority activity of the City, as outlined in the 5 year Consolidated Plan. (The 2008-2012 Consolidated Plan is posted on the City web site under the Community Development Division – www.rcgov.org.)
- Total funding for Public Service activities is capped at a maximum of 15% of the CDBG allocation plus the previous year's program income earned. (for 2008 the Public Service allocation could not exceed \$84,766)

The HUD national objectives require that a funded activity serve or provide:

- Low-to-Moderate Income limited clientele;
- Low-to-Moderate Income area (Low-to-moderate income census tracts);
- Low-to-Moderate Housing;
- Low-to-Moderate Jobs;
- Slum or blighted area;
- Slum or blighted spot;
- Slum or blighted Urban Renewal; or
- Urgent need (natural disaster)

Eligible Activities must benefit primarily low-income people, and may include, but are not limited to:

- Acquisition of real property for housing or public facilities;
- Relocation and demolition;
- Homeownership assistance, (i.e. Down payment and closing cost assistance);
- Rehabilitation of residential and non-residential structures;
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- Public services, within certain limits;
- Activities relating to energy conservation and renewable energy resources and;
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.