

**EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL,
CITY OF BOX ELDER, SOUTH DAKOTA**

Pursuant to due call and notice thereof, a meeting of the City Council of City of Box Elder, South Dakota, was duly held at City Hall Council Chambers, 420 Villa Drive, 2nd Floor, Box Elder, South Dakota, on the 2nd day of December 2025 at 7:00 p.m.

The following members were present: Council President, Michael Knight; Council Vice-President, Rick Davis; Councilmember Kirk Beauchamp; Councilmember Steven Bixel; Councilmember Patrick Schubert; and Councilmember John Talich

The following were absent: None.

The matter of approving and recommending Tax Incremental District Five plan, City of Box Elder was presented to the City Council. After discussion of the same, and after public comment on the proposed tax incremental district, member Knight moved that the following resolution be passed:

RESOLUTION NO. 25-41
RESOLUTION APPROVING AND RECOMMENDING OF TAX INCREMENTAL
DISTRICT PLAN NUMBER FIVE,
CITY OF BOX ELDER

WHEREAS, the Planning Commission of City of Box Elder, South Dakota, received an application to create a Tax Incremental District and thereafter prepared a Notice of Hearing held on October 28th, 2025, and on November 25th, 2025, advising interested parties that they were being given a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District on real property consisting of the following parcels:

District Legal Description:

The real property to be located within the Tax Increment District is within the boundaries of the City of Box Elder and described as follows:

- Lots 3-12A of Block 1, Lots 1-6 of Block 2 of Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Lots 1-4 of Block 3 of Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Lots 5-13 of Block 3 of Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Tract 1 less blk 1-4 Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Lots 1-8 of Block 4 of Alpha Omega Subdivision, all located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Lots 9-17 of Block 4 of Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
- Westgate Rd and Right-of-Way that is approximately 1.25 miles in length from Highway 1416 to Cheyenne Boulevard
- Cheyenne Boulevard and Right-of-Way that is approximately 2.17 miles in length from Tax ID #70255 running East until Radar Hill Road.

All Located in the City of Box Elder, Pennington County, South Dakota including within and adjacent rights-of-ways.

WHEREAS, such Notices were published in the official newspapers in Box Elder not less than ten (10) nor more than thirty (30) days from the date of the hearings which were held On November 4th, 2025 and on December 2nd, 2025.

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers of the following taxing entities:

City of Box Elder
Pennington County Auditor's Office
Douglas School District
West Dakota Water Development District
Box Elder Rural Fire Protection District

WHEREAS, hearings were held on November 4th, 2025, and on December 2nd, 2025 as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed Tax Incremental District Five plan;

NOW THEREFORE, BE IT RESOLVED by the City Council of City of Box Elder, South Dakota:

Authority and declaration of necessity. Pursuant to SDCL §§ 11-9-4 & 11-9-13, City of Box Elder - City Council hereby declares the necessity to form a tax incremental district in the City of Box Elder.

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. **Authority and Declaration of Necessity.** The City Council declares the necessity for the approval of Tax Incremental District Number Five plan, City of Box Elder, Pennington County (hereinafter sometimes referred to as the "District"), pursuant to SDCL Chapter 11-9, and finds that the improvement of the area within the District are likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development and housing within the City of Box Elder.
2. **Findings.** The City Council makes the following findings with regard to economic development:
 - A. The proposed improvements will diversify the overall economic base of the City of Box Elder and is determined feasible.
 - B. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District Five of the City of Box Elder to be Local.
 - C. The improvement of the area is likely to significantly enhance the value of substantially all other real property in the district;
 - D. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the City does not exceed Ten (10%) percent of the total assessed valuation in the City;

3. **Boundaries of District.** The Boundaries of the district are determined to be as follows:

- Lots 3-12A of Block 1, Lots 1-6 of Block 2 of Alpha Omega Subdivision, All located in Section 25, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (BHM), Box Elder, Pennington County, South Dakota.
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4. **Findings of Annual Appropriation TID.** Tax Increment District #5 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.
5. **Creation of Tax Incremental Fund.** There is hereby created, pursuant to SDCL 11-9-31, a Tax Incremental District Number Five Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number Five shall be deposited into the Tax Incremental District Number Five Fund. All funds in the Tax Incremental District Number Five Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9
6. **Adoption of Tax Increment Plan.** The City Council of the City of Box Elder does hereby adopt the Tax Increment Plan Number Five as presented.

