

**ADDENDUM A**

**IMPORTANT OLMSTED COUNTY RESOLUTIONS**

RESOLUTION #75 – 50:	Licensing of Exhibitions
RESOLUTION #96-7:	Citation Ordinance
RESOLUTION #98-59:	Amendment No. 1 to Citation Ordinance
RESOLUTION #98 – 131:	Auditor-Treasurer Abolished
RESOLUTION #02 – 004:	Office of Coroner
RESOLUTION #03 – 064:	Weapons in Government Center
RESOLUTION #07-059:	Placing Limits on Memorials Along County Right of Ways
RESOLUTION #12-20 :	Redistricting for Board of Commissioners
RESOLUTION #15-57:	Authorizing the levy of a special benefit tax by the Olmsted County Housing and Redevelopment Authority and approving a proposed budget for the year 2016
RESOLUTION #15-75	Housing and Redevelopment Authority (HRA) Project Budget and Levy Approval
RESOLUTION #15-82	Olmsted County Housing and Redevelopment Authority Special Legislation and Certificate Approval

**RESOLUTION #75 - 50**  
**LICENSING OF EXHIBITIONS**

WHEREAS, Minnesota Statutes §375.40 authorizes the Board of County Commissioners of any county to license and regulate itinerant shows, carnivals, circuses, endurance contests, and exhibitions of any nature whatsoever, except those held within the incorporated limits of a village, borough, or city, and,

WHEREAS, there have been numerous requests by area residents, and by area civic organizations, that the Board of County Commissioners of Olmsted County license and regulate exhibitions to be held in the county, that reasonably can be expected to continue for more than four hours and attract more than 500 observers, and

WHEREAS, in order that the health, safety and welfare of all persons in Olmsted County, residents and visitors alike, may be protected,

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Olmsted County, Minnesota, that no person (as used in this Resolution, "person" means any individual natural human being, partnership, corporation, firm, company, association, society, or group) shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an exhibition or show of any nature which exhibition or show is planned to continue four or more consecutive hours, and can reasonably be anticipated to cause an assembly of 500 or more people, without first obtaining from the County of Olmsted a license to be subject to the following terms and conditions, to wit:

1. Application for the license must be made to the county board at least 30 days in advance of the commencement of the show or exhibition. The application must be accompanied by true and correct copies of all other necessary Minnesota State licenses or permits to support the application.
2. The applicant shall, insofar as practical, determine the maximum number of people which will be assembled or admitted to the location of the show or exhibition, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the show or exhibition in consideration of the nature of the show or exhibition and provided that, where the assembly is to continue overnight together with the show or exhibition, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the show or exhibition in accordance with the zoning or health ordinances of the County of Olmsted and the regulations of the Minnesota State Board of Health.
3. At the time the application for the license is submitted, the sponsor will provide a plan in compliance with the provisions of this resolution for the operation of the show or exhibition, local authorities will inspect to determine whether the requirements of these provisions have been substantially met. The plan may require the following elements:
  - a. A fence completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to

the show grounds, which fence shall have not less than four gates, at least one at or near four opposite points of the compass.

- b. Potable water, meeting all federal and state requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled to observe the show, at the rate of at least one gallon per person per day.
- c. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled in accordance with the Minnesota State Board of Health Regulation and Standards.
- d. A sanitary method of disposing of solid waste in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the show or exhibition's continuance, and sufficient trash containers and personnel to perform such tasks.
- e. Illumination sufficient to light the entire area of the assembly if the show or exhibition is to continue during hours of darkness, upon the grounds where the show or exhibition is being held.
- f. Camping facilities in compliance with all state and local requirements as set forth in Minnesota Statutes and Regulations and resolutions and ordinances of this County, sufficient to provide camping accommodations for the maximum number of people to be assembled to observe the show or exhibition, if the show or exhibition is to continue during hours of darkness, or the people in attendance to observe shall continue to be assembled during hours of darkness, upon the grounds where the show or exhibition is being held.
- g. Security and traffic controls which will meet the requirements of local authorities and the Minnesota Department of Public Safety. Regularly employed off-duty Minnesota law enforcement officers, or other approved security officers, sufficient to provide adequate security for the purpose of viewing the show or exhibition.
- h. An administrative control center with telephone where local authorities can contact the sponsors and law enforcement personnel inside the area where the show or exhibition is being conducted.
- i. A surety bond by a company licensed to do business in Minnesota for a minimum amount of \$25,000 property damage, \$50,000 per person personal injury and \$300,000 multiple injury, which shall indemnify and hold harmless the County of Olmsted, or any of its agents, officers, servants and employees from any liability or cause of action which might arise by reason of granting this license. Also, a cash or surety bond in the sum of \$500 to guarantee payment of any employees of the granting authority and from costs incurred in cleaning up any waste material produced or left at said show or

exhibition site. Said cleanup shall be completed within three days of the conclusion of the show or exhibition.

- j. Physicians and nurses licensed to practice in Minnesota sufficient to provide the average medical care enjoyed by residents of Minnesota for the maximum number of people to be assembled at the rate of at least one physician and nurse for every 5,000 people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least two emergency ambulances with attendants for each 5,000 people.
- k. A free parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons.
- l. Telephones connected to outside lines sufficient to provide service for incoming and outgoing calls to the maximum number of people to be assembled at the rate of at least one separate line for each 1,000 persons.
- m. Fire protection to be provided by the sponsor including the following: fire alarms, extinguishing devices, fire lines. Such fire protection shall be sufficient to meet all applicable state laws and local regulations which are in effect, or may be set forth by the political subdivision concerned. Sufficient emergency personnel to efficiently operate the required equipment shall be provided by the sponsor.
- n. All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.

RESOLVED FURTHER, that a decision by the County Board concerning the issuance or denial of the license shall be made within 20 days of receipt of the application and shall be issued if all conditions are substantially complied with. The license may be revoked by the governing body of this County at any time if any of the conditions necessary for the issuing of, or contained in the license, are not complied with. The provisions of this licensing resolution may be enforced by injunction in any court of competent jurisdiction, and the holding of an exhibition or show in Olmsted County, whether on public or on private land, in violation of any provision or condition contained herein, shall be deemed a public nuisance and may be abated as such. Any proceeding for an injunction, or for abatement of a public nuisance shall be in addition to the penal provisions which apply hereto under Minnesota Statutes §375.4 and §375.41.

RESOLVED FURTHER, that application for the license to conduct a show or exhibition regulated hereunder shall be on a form furnished by the County Auditor of the County of Olmsted, said form to be completed by the sponsor of the show or exhibition, under oath, and signed by said applicant. The application form shall contain and require to be disclosed the following matters:

1. The name, age, residence and mailing address of the applicant, if an individual, and the officers of the corporation, if applicant is a corporation.

2. The address and legal description of all property upon which the show or exhibition is going to be held.
3. The nature and purpose of the show or exhibition.
4. The maximum number of persons which the applicant shall permit to assemble at any time, for purposes of observing the show or exhibition.
5. The maximum number of tickets, if any, which will be sold.
6. Plans of the applicant to limit the maximum number of people permitted to assemble for purposes of observing the show or exhibition.
7. The plans for controlling and parking vehicles of the persons assembling to observe the show or exhibition.
8. The plans for security, including the number of guards, their deployment, their names, addresses, credentials and hours of availability.
9. The plans for sound control, if applicable, and sound amplification, if any, including number, location and power of amplifiers and speakers.
10. The plans for food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers.
11. The plans for beer, liquor, and drug control.
12. The plans required by Section 3 of this resolution, found on pages 1, 2 and 3 hereof.

RESOLVED FURTHER, that the cost of the license herein shall be in the amount of \$10.00 payable to the Olmsted County Auditor, and payable at the time of application.

RESOLVED FURTHER, this resolution shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place, where shows and exhibitions are held, where the reasonable anticipated assembly of observers does not exceed by more than 500 people the maximum seating capacity of the structure where the show or exhibition is held. This resolution shall not apply to county fairs under the management and control of a county agricultural society and held on regularly established fairgrounds.

RESOLVED FURTHER, that notice of this resolution shall be published once in the official newspaper of Olmsted County, said resolution to take effect upon publication in the official newspaper of Olmsted County and to continue until the further order of this Board.

RESOLVED FURTHER, that all sections and provisions of this resolution have an independent existence; and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of this Board that any section

of provision so declared shall be severable from and shall not affect the validity of the remainder of the resolution.

Dated this 12<sup>th</sup> day of August 1975, at Rochester, Minnesota.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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By Gerald Tiedemen, Chairperson

Attest:

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Richard G. Devlin  
Clerk-Administrator

**RESOLUTION 96-7**

WHEREAS, Olmsted County has authority pursuant to Minn. Stat. §626.862(1) to adopt an ordinance permitting non-law enforcement persons to issue citations to enforce County ordinances, and

WHEREAS, after due notice to the public, pursuant to Minn. Stat. §375.51, the Board of Commissioners held a hearing on November 14, 1995, which was continued to January 9, 1996 and took all offered testimony concerning amendments to the ordinance. which was originally adopted on January 17, 1989 as Resolution # 89-4,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners does adopt as an ordinance the CITATION ORDINANCE, dated January 9, 1996, and does authorize the department heads referred to therein to authorize certain of their employees to issue citations to persons who violate the ordinances and rules or regulations referenced therein.

Dated: 1-9-96

OLMSTED COUNTY BOARD  
OF COMMISSIONERS

By: \_\_\_\_\_

Jean Michaels, Chairperson

ATTEST:

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Richard G. Devlin, Clerk-Administrator

**RESOLUTION # 98-59**

Citation Ordinance Amendment # 1 (to integrate Solid Waste Management Ordinance No. 10)

WHEREAS, Olmsted County has authority pursuant to Minn. Stat. 626.862 (1) to adopt an ordinance permitting non-law enforcement persons to issue citations to enforce County ordinances, and

WHEREAS, Olmsted County adopted a Citation Ordinance on January 9, 1996, and

WHEREAS, the Board of Commissioners does authorize department heads referred therein to authorize certain of their employees to issue citations to persons who violate the ordinances and rules or regulations referenced therein, and

WHEREAS, the County adopted Solid Waste Management Ordinance No.1 0 and repealed all prior solid waste management ordinances (Numbers 4, 6, 7, 8 and 9) on March 24, 1998,

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does amend the January 9, 1996 CITATION ORDINANCE to revise the references to address Solid Waste Management Ordinance No. 10 references and incorporate fines for new Ordinance No. 10 language. This amendment shall be labeled Citation Ordinance Amendment # 1 and will take effect pending judicial review and approval in District Court. The following sections of the Citation Ordinance, dated January 9, 1996, shall remain in full force and effect: Section 1A (Zoning Ordinances), Section 1B, C, D, E, and F; and Sections 2 through 4.

Dated this 28 day of April, 1998.

COMMISSIONERS

OLMSTED COUNTY BOARD OF

By: \_\_\_\_\_

Paul Wilson, Chair Board of  
Commissioners

\_\_\_\_\_  
ATTEST:  
Richard G. Devlin, Clerk-Administrator

**(A copy of the list of violations which may be cited pursuant to the Citation Ordinance and the current fine and bail schedule is on file with the Olmsted County District Court Administrator)**

## **RESOLUTION 98-131**

WHEREAS, Laws of Minnesota 1998, Chapter 307, authorized the Olmsted County Board of Commissioners to provide that the Office of Olmsted County Auditor-Treasurer shall not be elective but shall be filled by appointment by the County Board, and

WHEREAS, the Olmsted County Board of Commissioners approved this legislation by Resolution Nos. 98-40, 98-41 and 98-82 and it became effective upon the filing of a certificate with the Secretary of State, pursuant to law, and

WHEREAS, pursuant to this legislation and County Board action, the Olmsted County Board of Commissioners may appoint a county official to discharge all the duties required by law to be performed by the Olmsted County Auditor-Treasurer, as well as any other duties assigned by the County Board, effective upon completion of the current term of the elected Olmsted County Auditor-Treasurer or upon a vacancy in such position, and

WHEREAS, the term of the incumbent will expire on January 4, 1999 and there is no elected successor, this Board having previously declared its intent to make the office of Olmsted County Auditor-Treasurer appointive,

NOW, THEREFORE, BE IT RESOLVED, That, from and after January 4, 1999 the office of Auditor-Treasurer is abolished in Olmsted County and all duties previously performed by the holder of that office will be performed by a Director of Property Records and Licensing and a Chief Financial Officer, both of whom are department heads appointed by the Olmsted County Clerk-Administrator, pursuant to his authority under Minn. Stat. § 375A.06.

BE IT FURTHER RESOLVED, That the Director of Property Records and Licensing shall have the responsibilities formerly performed by a county auditor and which are related to land records, taxation, collection of all property taxes, licenses and elections. The Director of Property Records and Licensing and any deputy authorized by the said Director may sign documents of said department and any which have been by law or custom signed by the County Auditor.

BE IT FURTHER RESOLVED, That the Chief Financial Officer shall have the responsibilities formerly performed by a county treasurer and which are related to payments, receipts of money, issuance of debt, bond issues, and investments for Olmsted County. The said Chief Financial Officer and any deputy authorized by the said Chief Financial Officer may sign documents of the said department which have been by law or custom signed by the County Treasurer.

BE IT FURTHER RESOLVED, That drafts of Olmsted County may be signed by the Chairperson of the Board of Commissioners, the Chief Financial Officer, or any individual authorized in writing for such purpose by the Chief Financial Officer. A facsimile signature may be used for official purposes.

BE IT FURTHER RESOLVED, That the salaries of the persons acting as Director of Property Records and Licensing and Chief Financial Officer shall be as set out in the Olmsted County Compensation Plan for Non-Contract Salaried and Hourly Employees, as it may be amended from time to time.

BE IT FURTHER RESOLVED That the Olmsted County Clerk-Administrator is authorized to change the allocation of the 1999 Budget of the County to be consistent with this Resolution. The Clerk-Administrator is further authorized to amend the organizational chart of the County and to make specific assignments and to time changes in his discretion so that the intent of this Resolution is given effect.

BE IT FURTHER RESOLVED, That it is the intent of the Board of Commissioners that all the duties previously performed by the Olmsted County Auditor-Treasurer shall be performed by County officials immediately upon the expiration of the term of the incumbent, so that there is no break in the service to the public. To that end any duty previously performed by the Olmsted County Auditor-Treasurer which is not provided for in this Resolution shall be performed as assigned by the County Clerk-Administrator.



Dated: December 7, 1998

OLMSTED COUNTY BOARD  
OF COMMISSIONERS

By: \_\_\_\_\_  
Paul Wilson, Chairperson

ATTEST:

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Richard G. Devlin, Clerk-Administrator

**RESOLUTION #02 - 004**

WHEREAS, the Office of Coroner in and for Olmsted County, Minnesota has not been abolished, and the incumbent, Paul Belau, M.D., has announced his intention to not seek reelection, and

WHEREAS, the Board of County Commissioners may choose to make the Office of Coroner appointive, pursuant to Minn. Stat. § 390.005, subd. 2,

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Commissioners does declare its intention to fill the Office of Coroner in and for Olmsted County, Minnesota, by appointment of a qualified person not less than 30 days before the end of the incumbent's term, all pursuant to Minn. Stat. § 390.005.

Dated: \_\_\_\_\_

OLMSTED COUNTY BOARD  
OF COMMISSIONERS

By: \_\_\_\_\_  
Jeffrey Thompson, Chairperson

ATTEST:

\_\_\_\_\_  
Richard G. Devlin, Clerk-Administrator

**RESOLUTION #03 -064**

WHEREAS, the Board of Commissioners, having the duty and authority to supervise the use of all county property, pursuant to Minn. Stat. Sections 373.05, 375.18, and 624.72 and

WHEREAS, the Board of Commissioners desires to make County property, and all those persons who use and work at those properties, as safe as possible from those persons who would create a danger to others,

NOW, THEREFORE, BE IT RESOLVED, that, the Board of Commissioners does hereby adopt the following rules and regulations to be applied to all County property:

1. No person may possess any weapon, ammunition or explosives in County buildings or the land on which they are situated, except upon the permission of the Olmsted County Sheriff or who carry pistols pursuant to a permit issued under Minn. Stat. 624.714. Permit holders entering the courthouse complex with a pistol must notify the Olmsted County Sheriff.
2. Any person entering on County premises may be subject to search of person and belongings for weapons or other contraband by the Sheriff or deputies. Such weapons or other contraband may be seized.
3. As used herein, "weapon" shall have the meaning attributed to it in Minn. Stat. § 609.02, Subd. 6, as the same may be amended from time to time. The term shall also include any device or instrumentality which may be used to produce bodily harm.

BE IT FURTHER RESOLVED, that the Olmsted County Sheriff is authorized to post signs to notify the public of these rules and to carry out the mandate of these rules. The Sheriff may exercise discretion in prioritizing the County properties to post with signs. Unless the proscribed conduct provided for herein is made punishable by another law, violation of this Resolution shall be deemed to be a misdemeanor.

This resolution shall be effective upon its passage and posting and is designed to continue the Board's intent, demonstrated in Resolutions #92-104, #96-76 and #98-117 and supersedes Resolutions #92-104, #96-76 and Resolution #98-117.

Dated: \_\_\_\_\_

OLMSTED COUNTY BOARD  
OF COMMISSIONERS

By: /s/ \_\_\_\_\_  
Matt Flynn, Chairperson

ATTEST:

/s/ \_\_\_\_\_  
Richard G. Devlin, Clerk-Administrator

### **RESOLUTION NO. 07-059**

WHEREAS, Olmsted County has over 530 miles of county roads within the County, and

WHEREAS, memorial markers are objects placed on county highway right-of-way marking the site of a fatal crash, and

WHEREAS, memorial markers may be physical objects within the clear zone, a visual distraction to motorists, a cause of vehicles parking along the roadway or pedestrians on or near the traveled lanes, and

WHEREAS, no one wants these memorials to be the cause of another accident along a County Road.

NOW THEREFORE BE IT RESOLVED, the Olmsted County Board of Commissioners adopts the memorial marker guideline on county highways and they may remain for an appropriate time not to exceed six (6) months. Memorial markers will be removed if:

- They do not meet safety criteria within the clear zone (physical or visual);
- They negatively impact the free flow of traffic;
- They are located outside the clear zone but constitute a hazard if hit by either on or off-roadway vehicles;
- They interfere with roadway maintenance operations.

Dated at Rochester, Minnesota, this 12th day of June, 2007.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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James Bier, Chairperson

ATTEST:

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Richard G. Devlin, Clerk-Administrator

### **RESOLUTION 12- 20**

**WHEREAS**, the County of Olmsted by its Board of Commissioners is required by Minnesota Statutes 375.025 to redistrict the said Olmsted County after each Federal census, and

**WHEREAS**, the County Board of Olmsted County has given due notice pursuant to law of its intention to redistrict said County and to conduct a public meeting or hearing on the matter of redistricting on April 10, 2012, and testimony taken as required by Minnesota Statutes 375.025, and said notice having been published in the Rochester Post-Bulletin, Rochester, Minnesota, said newspaper being the newspaper having the contract for publication of the Commissioners Proceedings for the current year;

**NOW, THEREFORE, BE IT RESOLVED** that said County of Olmsted, State of Minnesota, be and hereby is redistricted into seven (7) Commissioner Districts as follows and in accordance with Minnesota Statutes 375.025:

**FIRST COMMISSIONER DISTRICT:** All of the City of Rochester's First, Second and Fourth Precincts of the First Ward; the First Precinct of the Second Ward; the First,

Second, Third and Sixth Precincts of the Fourth Ward; the First and Second Precincts of the Fifth Ward; and the Eighth Precinct of the Sixth Ward;

**SECOND COMMISSIONER DISTRICT:** All of the City of Rochester's Fourth Precinct of the Third Ward; the Sixth Precinct of the Fifth Ward; the First, Second, Third, Fourth, Fifth, Sixth and Seventh Precincts of the Sixth Ward;

**THIRD COMMISSIONER DISTRICT:** All of the City of Rochester's Fifth Precinct of the First Ward; the Fourth, Fifth, Seventh, Eighth and Ninth Precincts of the Fourth Ward; the Third, Fourth, and Fifth precincts of the Fifth Ward; and the Second Precinct in Marion Township;

**FOURTH COMMISSIONER DISTRICT:** All of the City of Rochester's Ninth, Tenth, Eleventh, Twelfth, and Thirteenth Precincts of the First Ward; the First, Third and Fourth Precincts of Rochester Township; the Townships of Dover, Elmira, Eyota, High Forest, Orion, Pleasant Grove, Quincy, Rock Dell, Salem and Viola; the Cities of Dover, Eyota, and Stewartville; and the portion of the City of Chatfield located within the County;

**FIFTH COMMISSIONER DISTRICT:** All of the City of Rochester's Fifth and Ninth Precincts of the Second Ward; the First, Second, Third, Sixth and Seventh Precincts of the Third Ward; the Second, Third and Fourth Precincts of Cascade Township; the Township of Kalmar; and the City of Byron;

**SIXTH COMMISSIONER DISTRICT:** All of the City of Rochester's Third, Sixth, Seventh and Eighth Precincts of the First Ward; the Second, Third, Fourth, Sixth, Seventh and Eighth Precincts of the Second Ward; and the Second Precincts in Rochester Township;

**SEVENTH COMMISSIONER DISTRICT:** All of the City of Rochester's Fifth Precinct of the Third Ward; Seventh, Eighth, Ninth and Tenth Precincts of the Fifth Ward; the First Precinct of Cascade Township; the First Precinct of Marion Township; the Townships of Farmington, Haverhill, New Haven, and Oronoco; the City of Oronoco; and the portion of the City of Pine Island located within the County;

The Board of Commissioners finds that the plan as adopted meets the legal requirements of population equality, municipal splits, contiguity, compactness and minority opportunity districts, and also maintains communities of interest.

The Commissioners of Districts Two and Six shall be elected for two-year terms at the next general election, and thereafter four-year terms. The Commissioners of Districts One, Three, Five and Seven shall be elected for four-year terms at the next general election. Since the sum of the additions to and subtractions from the population of District Four comprise less than five percent of the population of the average County district, the District Four Commissioner will complete the remaining two years of the term to which he was elected. A Commissioner for District Four shall thereafter be elected to four-year terms.

Dated at Rochester, Minnesota this 10th day of April, 2012.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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Ken Brown, Chairperson

ATTEST:

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Richard Devlin,  
Administrator

**RESOLUTON 15-57**

RESOLUTION AUTHORIZING THE LEVY OF A SPECIAL BENEFIT TAX BY THE  
OLMSTED COUNTY HOUSING AND REDEVELOPMENT AUTHORITY AND  
APPROVING A PROPOSED BUDGET FOR THE YEAR 2016

WHEREAS there is a need in Olmsted County for community-wide housing solutions which address the demand for housing which is safe, decent and affordable; and

WHEREAS a resource to support the creation, expansion and leverage of affordable housing opportunities for the workforce, elderly, and special needs populations includes the authority to levy by housing and redevelopment authorities (HRAs); and

WHEREAS the Olmsted County Housing and Redevelopment Authority (OCHRA) was organized under Minnesota Laws 1994, Chapter 493 and has the powers and duties of a housing and redevelopment authority as defined in Minnesota Statutes, Sections 469.001 to 469.0047 (the "HRA Act"); and

WHEREAS pursuant to its special legislation and the HRA Act, Section 469.033, Subdivision 6, the OCHRA is authorized to levy and collect a special benefit tax of up to 0.0185 percent of the estimated market value upon all taxable property, real and personal, within the area of operation with the approval of the County Board; and

WHEREAS the Olmsted County Board sought special legislation from the 2015 Minnesota legislature which would permit the members of the County Board to serve as the members of the Olmsted County HRA Board in order to insure that any tax levy which might be approved by the County for use by the HRA to support its housing programs would be approved by elected officials accountable to the people of Olmsted County and this authority was granted to the County by the Legislature contingent upon approval by the Rochester City Council which will be relinquishing the authority it formerly possessed to appoint 4 of the 7 members of the County HRA Board of Commissioners and upon inclusion of additional member needed to comply with the Code of Federal Regulations, title 24, part 964 ; and

WHEREAS the OCHRA is required under the HRA Act, Section 469.033, Subdivision 6 to formulate and file a levy budget with the County, and the amount of special benefit tax levy for the following year shall be based on that budget. The HRA has made a presentation to the Olmsted County Board of Commissioners detailing the budget for the use of HRA levy proceeds to be collected in 2016; and

WHEREAS if approved, the OCHRA is required pursuant to Minnesota Statutes 275.065, Subdivision 1(b), to adopt and certify to the county auditor a proposed property tax levy for taxes payable in the following year on or before September 15; and

WHEREAS Minnesota Statutes, Section 275.067 requires that special taxing districts that have not previously certified a levy to the county auditor, provide written notice by July 1 to the county auditor of its intent to certify a levy in the current year, including a complete list or other description of the tax parcels in the district and a map showing the boundaries of the district. The Olmsted County HRA's area of operation includes all of Olmsted County except within the city limits of the City of Stewartville which previously established its own city HRA on February 27, 1978. As a result, as currently proposed, this special benefit tax levy would apply to all taxable property located in Olmsted County except those located within the city limits of the City of Stewartville. The County will be requesting that the City of Stewartville permit the County to also levy on taxable property within the Stewartville city limits so that this new County levy for housing initiatives by OCHRA may be imposed uniformly on all taxable property within the County.

NOW, THEREFORE, BE IT RESOLVED the Olmsted County Board finds that it is in the best interest of the people and economy of Olmsted County to accept the authority granted to it in the 2015 special legislation to appoint the Commissioners of the Olmsted County Board to serve as the Commissioners of the Olmsted County HRA Board, with appointment of such additional member as may be necessary to comply with the Code of Federal Regulations, title 24, part 964. This appointment shall become effective upon approval of the special legislation by resolution of the Rochester City Council and upon the written resignations of the existing Commissioners of the Olmsted County HRA Board. The terms of office of the new County Board Commissioners serving as the Commissioners of the Olmsted County HRA Board shall be coterminous with each commissioner's term on the County Board.

BE IT ALSO RESOLVED that the Olmsted County Board finds that it is in the best interest of the people and economy of Olmsted County to allow the OCHRA to levy a property tax to be collected in 2016 and following years not to exceed 0.0185 percent of estimated market value of taxable property within the County for the purposes allowed in Minnesota Statutes Sections 469.001 - 469.047. OCHRA shall provide written notice by July 1, 2015 to the County Property Records and Licensing Department as the legal successor to the County Auditor of its intent to certify a levy in the current year, including a complete list or other description of the tax parcels in the district and a map showing the boundaries of the district. OCHRA shall notify the Property Records and Licensing Department as soon as approval of the City of Stewartville is obtained so that the boundaries of the taxing district may be adjusted accordingly to include taxable property within the city limits of the

City of Stewartville.

Dated at Rochester, Minnesota this 23<sup>rd</sup> day of June, 2015.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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Paul Wilson, Chairperson

ATTEST:

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Richard Devlin,  
Administrator

**RESOLUTON 15-75**

WHEREAS, the Olmsted County Housing and Redevelopment Authority (the "Authority") is duly organized and existing under the laws of the State of Minnesota, including Laws of Minnesota for 1994, Chapter 493, as amended (the "Special Law"); and

WHEREAS, the Authority, with the approval of the Board of Commissioners (the "County Board") of Olmsted County (the "County"), may levy a special benefits tax under Minnesota Statutes, Section 469.003, Subd 6 and Section 3 of the Special Law; and

WHEREAS, the Authority is required to formulate and file a project budget with the County and the amount of special benefits tax levy for the following year shall be based on that budget; and

WHEREAS, the Authority has prepared its 2016 Project Budget (the "2016 Budget") and submitted the same to the County Board for approval; and

WHEREAS, the Authority proposes to levy a special benefits tax for taxes payable in 2016 in the amount of \$1,350,000 (the "Special Benefits Tax Levy") to continue the work of the Authority in the County, subject to the approval of the County Board as required under Minnesota Statutes, Section 469.033, and Section 3 of the Special Law.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Olmsted County as follows:

1. The 2016 Budget is hereby approved.
2. The Special Benefits Tax Levy is hereby approved and certified to the County Auditor.

Dated at Rochester, Minnesota this 8<sup>th</sup> day of September, 2015.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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Paul Wilson, Chairperson

ATTEST:

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Richard Devlin,  
Administrator

**RESOLUTON 15-82**

RESOLUTION ACCEPTING SPECIAL LEGISLATION AUTHORIZING THE OLMSTED COUNTY BOARD OF COMMISSIONERS TO SERVE AS THE OLMSTED COUNTY HOUSING AND REDEVELOPMENT AUTHORITY BOARD OF COMMISSIONERS

WHEREAS, there is a need in Olmsted County for community-wide housing solutions which address the demand for housing which is safe, decent and affordable; and,

WHEREAS, the Olmsted County Housing and Redevelopment Authority (OCHRA) was organized under Minnesota Laws 1994, Chapter 493 and has the powers and duties of a housing and redevelopment authority as defined in Minnesota Statutes, Sections 469.001 to 469.0047 (the "HRA Act"); and,

WHEREAS, in preparation for the imposition of a new tax levy commencing in 2016 intended to support affordable housing initiatives undertaken by OCHRA, the County Board of Commissioners believes it is in the best interest of the public to replace the current appointed Board of Commissioners of OCHRA with the County Board of Commissioners so that the County Board would have some input into how public tax dollars raised through the housing levy are spent to support these initiatives; and,

WHEREAS, the County sought special legislation to permit this to occur which was approved by the Minnesota legislature in the 2015 1<sup>st</sup> Special Session, and this resolution is intended to supplement Resolution 15-57 passed by the County Board on June 23, 2015 and further clarify the terms under which this replacement of the current Board of Commissioners of OCHRA shall occur:

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The appointment procedures to the Board of Commissioners of the Olmsted County Housing and Redevelopment Authority set forth in Subdivision 1 of Laws 2015, 1<sup>st</sup> Special Session, Article 4, Section 2 shall not apply.
2. The terms of the current members of the Board of Commissioners of the Olmsted County Housing and Redevelopment Authority shall terminate upon their resignations which shall take effect January 1, 2016. The Olmsted County Board of Commissioners shall then be sworn in to constitute the new Board of Commissioners of the Olmsted County Housing and



Redevelopment Authority effective January 1, 2016.

3. The Olmsted County Board will appoint a member to the Olmsted County Housing and Redevelopment Authority Board of Commissioners as needed to comply with Code of Federal Regulations, title 24, part 964 effective January 1, 2016.

4. The terms of the Olmsted County Board members serving as the Board of Commissioners of the Olmsted County Housing and Redevelopment Authority shall be coterminous with their terms as Commissioners on the Olmsted County Board.

5. The term of the member of the Housing and Redevelopment Authority Board of Commissioners needed to comply with Code of Federal Regulations, title 24, part 964 shall be 3 years commencing on January 1, 2016.

Dated at Rochester, Minnesota this 6th day of October, 2015.

OLMSTED COUNTY BOARD OF COMMISSIONERS

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Paul Wilson, Chairperson

ATTEST:

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Richard Devlin,  
Administrator