

**LOCAL OPTION SALES AND USE TAX FOR TRANSPORTATION**  
**Otter Tail County Resolution No. 2015 - 64**

Upon motion by Johnson and seconded by Froemming the following resolution was adopted on a roll call vote as follows:

<u>Board Members -</u>	<u>For</u>	<u>Against</u>	<u>Absent</u>
Doug Huebsch	X		
Wayne D. Johnson	X		
John Lindquist	X		
Roger Froemming	X		
Lee Rogness	X		

WHEREAS: Otter Tail County's transportation infrastructure has a direct impact on the safety of the system users, the county's economy and future economic development; and

WHEREAS: many of the Otter Tail County highways are rapidly deteriorating as indicated in the 2040 Otter Tail County Transportation Plan; and

WHEREAS: the funding for the Otter Tail County transportation system is inadequate to make the necessary repairs and improvements; and

WHEREAS: the 2008 Minnesota State Legislature authorized a local option sales tax for transportation (Chapter 152), and the 2013 Minnesota State Legislature authorized counties to adopt the local option sales tax for transportation by resolution after holding a public hearing (Chapter 117, Article 3, Section 25, now incorporated into Minn. Stat. 297A.993, Subd. 1); and

WHEREAS: the 2008 Minnesota State Legislature also authorized a \$20 per motor vehicle excise tax for vehicles purchased or acquired from any person engaged in the business of selling motor vehicles at retail (Chapter 152), and the 2013 Minnesota State Legislature authorized counties to adopt the \$20 per motor vehicle excise tax by resolution after holding a public hearing (Chapter 117, Article 3, Section 25, now incorporated into Minn. Stat. 297A.993, Subd. 1); and

WHEREAS: Chapter 117, Article 3, Section 26, Subd. 2 of the 2013 Session Laws (now incorporated into Minn. Stat. 297A.993, Subd. 2) further requires that the proceeds of the tax be dedicated exclusively to payment of the capital cost of a specific transportation project or improvement designated by the County Board, and that the tax must terminate when revenues raised are sufficient to finance the project or improvement; and

WHEREAS: the Otter Tail County Board desires to implement the local option sales and use tax for transportation and have the State Department of Revenue collect the same; and

WHEREAS: the proceeds of such a tax must be spent on projects identified in the Otter Tail County 2016-2025 Transportation Program at the September 8, 2015 Public Hearing and attached (Exhibit B) as part of this resolution dated September 8, 2015; and

WHEREAS: any additional projects to be considered for the county sales and use tax must be presented at a public hearing and included in a resolution passed by the Otter Tail County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the Otter Tail County Board of Commissioners authorizes and implements a 0.5% sales tax as provided for in Minnesota Statutes beginning January 1, 2016, for the purpose of funding transportation projects as identified in the attached Otter Tail County 2016-2025 Transportation Program; and

BE IT FURTHER RESOLVED, that the Otter Tail County Board of Commissioners authorizes an excise tax of \$20 per motor vehicle as provided for in Minnesota Statutes beginning January 1, 2016, to fund transportation projects as identified in the attached list of Otter Tail County 2016-2025 Transportation Program; and

BE IT FURTHER RESOLVED, that the provisions of Minn. Stat. 297A.99, Subdivisions 4, and 6 through 12 govern the imposition, administration, collection and enforcement of the tax; and

BE IT FURTHER RESOLVED, that the Otter Tail County Board of Commissioners hereby directs the County Auditor to certify the tax to the Minnesota Department of Revenue for collection of the sales and excise tax on or before September 30, 2015.

Adopted at Fergus Falls, Minnesota, this 22<sup>nd</sup> day of September 2015

Dated: October 6, 2015

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Attest: Larry Krohn  
Larry Krohn, Clerk

By: John Lindquist  
John Lindquist, Chair