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# **Le Sueur County, MN**

**Tuesday, April 19, 2016**

**Board Meeting**

## **Item 11**

**11:10 a.m. Darrell Pettis, County Administrator/Engineer**

*RE: CSAH 50 Bid Award*

*RE: CSAH 50 Cooperative Agreement*

*RE: New Prague Historical Society Request*

*RE: Guardian Inn Tax Abatements*

*RE: Montgomery Tax Abatement Discussion*

*RE: Clear Lake Lane Project*

*RE: CR 143 Graveling Proposal*

*RE: Three County Transit*

*RE: Transportation Funding*

*RE: Draft DNR Buffer Maps*

*RE: Solar Energy Production Tax*

*RE: No April 26th Board Meeting*

**Staff Contact:**



**COST PARTICIPATION AGREEMENT**  
**ELYSIAN - 2016 STREET AND UTILITY IMPROVEMENT PROJECT**  
**RECONSTRUCTION of CSAH 50 (TH 60 to Main Street W)**

This Agreement between Le Sueur County (County) and City of Elysian (City) is for the purpose of defining terms and responsibilities for the costs associated with the reconstruction of CSAH 50 from TH 60 to Main Street W.

WHEREAS, the City has proposed the reconstruction of various streets in the area under a project known as the 2016 Street and Utility Improvement Project, which includes Fifth Street NW, and

WHEREAS, approximately 285-feet of Fifth Street NW, between TH 60 and Main Street W, is designated as County State Aid Highway 50, (CSAH 50), and

WHEREAS, the City intends to lead said project while seeking the County's financial participation in the cost of the CSAH 50 portion of the project, and

WHEREAS, bids were opened on April 1, 2016, and

WHEREAS, it was determined that R.A.W. Construction of Faribault, MN was determined to be the lowest responsible bidder with a bid of \$1,394,889.27 of which \$86,318.39 is CSAH Municipal Construction eligible, and

WHEREAS, on April 11, 2016, the City of Elysian award the bid to R.A.W. Construction of Faribault.

NOW, THEREFORE, BE IT AGREED THAT:

1. The County's share of the project cost will be limited to the CSAH eligible costs, which have been estimated at \$86,318.39 plus \$21,580 in engineering and contract administrator (a maximum of 25% of CSAH construction cost) based on the bids received.
2. The City will invoice the County for reimbursement based on the following schedule:
  - a. Upon City's award of a construction contract, City shall invoice County for County's share of Design Engineering. Estimated at \$14,674, (17% of estimated eligible construction cost).
  - b. Upon partial completion of CSAH 50 eligible construction costs, City will periodically invoice County for the amount of CSAH eligible work completed, plus 8% for construction engineering and administration.

THIS COST PARTICIPATION AGREEMENT IS HEREBY AGREED TO:

Date: \_\_\_\_\_, 2016

Date: \_\_\_\_\_, 2016

\_\_\_\_\_  
Darrell Pettis  
County Engineer / County Administrator  
Le Sueur County Highway Department

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Le Sueur County

Date: April 11, 2016

Date: 4 / 11, 2016

Lorri Kopischke  
Lorri Kopischke  
City Administrator  
City of Elysian

Clinton Stoen  
Clinton Stoen  
Mayor  
City of Elysian



# THE FIRST NATIONAL BANK

PO BOX 160 LE CENTER, MN 56057  
Phone: 507-357-2273 Fax: 507-357-6687



PO BOX 88 KILKENNY, MN 56052  
Phone/Fax: 507-595-2273

March 31, 2016

Attn: Le Sueur County Commissioners  
Le Sueur County Courthouse  
88 South Park Ave  
Le Center, MN 56057

Re: Guardian Inn tax abatements

Dear Honorable Commissioners:

As of March 2, 2016, the redemption period has ended following the foreclosure of the Guardian Inn by the First National Bank of Le Center. We appreciate that the county has worked with us during the redemption period to reimburse the Guardian Inn for tax abatements the county had agreed to pay. The redemption period is the time period following the foreclosure/sheriff's sale of the property and prior to the bank taking possession of the property. During the redemption period, the bank spent significant time and money working with the prior owners and management of the motel in order to keep the facility open for the benefit of the community and surrounding area.

The bank has worked with the city and county to keep bills paid, land payments made, and real estate taxes current. We would like this relationship to continue and would again use the abatement to cover our costs associated with the property. I believe the bank has held up their end of the agreement by promptly paying bills, notably the real estate taxes for the property.

We request that the county continue to honor the abatement agreement that was in place with the Guardian Inn, with the First National Bank of Le Center as the new benefactor. A similar request has been made to the city of Le Center and the city council voted to approve our request. We would also like to be able to offer the abatement to a potential purchaser. The motel is an important asset to the city and the surrounding area. With this help, a purchaser will be better positioned to turn the motel into a viable business opportunity.

Should you wish to have a representative of the bank, such as myself and/or Greg Traxler present at a meeting to answer additional questions, please contact us to ensure one of us can be present.

Sincerely,

  
Matt Wallskog  
Commercial/Ag Loan Officer



[www.fnblecenter.com](http://www.fnblecenter.com)





**A RESOLUTION CALLING FOR PROPERTY TAX ABATEMENT FOR F& L DEVELOPMENT, LLC FOR A PROPOSED MOTEL DEVELOPMENT**

Be it resolved by the Le Sueur County Board of Commissioners, following a public hearing, as follows:

1. Recitals: Upon review of information provided by Tom Serie, on behalf of F& L Development, LLC, Le Sueur County has determined that there is a need pursuant To Minnesota Statutes §469.1813 through §469.1815, for an abatement of real Property taxes (including applicable interest and penalties) payable to the City, the County, and the applicable school district.
  - a. The City has determined that Tom Serie, on behalf of F & L Development, LLC has proposed to develop a motel which will be located in the corporate limits of the City of Le Center, on real estate located in the corporate limits of the City of Le Center.
  - b. The proposed motel is a Guardian Inn Motel, construction costs are estimated to be approximately 1.5 million dollars, and the proposed motel is being planned to be situated on real estate located in a commercially zoned district legally described as: Lot 3 of Block 5, Horizon Addition, in the City of Le Center.
  - c. That Tom Serie of F & L Development LLC has requested of the County Le Sueur that the County abate any and all real property taxes payable to the County for ten (10) years.
2. Findings for the County Abatement: The County hereby makes the following specific findings after having held a public hearing on the abatement issue:
  - a. The County expects the benefits of the real property tax abatement to exceed the cost thereof;
  - b. The County expects that granting the abatement will increase or preserve the tax base of the County of Le Sueur;
  - c. The County expects that the motel property will help redevelop property adjacent to the proposed motel;
  - d. The County finds that the development of the motel will greatly help provide lodging and entertainment services to the residents of the City of Le Center;
  - e. The County finds that granting the abatement is in the public interest as it will increase or preserve the tax base of the County;
  - f. The County expects that the granting of the abatement will help retain and expand commercial and industrial enterprise in the County;
  - g. The County finds that the granting of the abatement will help expand employment opportunities in the County;
  - h. The County expects the public benefits described in the Resolution to be derived from the real property abatement.

3. Terms of the County Abatement: The County abatement is hereby approved. The terms of the County abatements are as follows:

- a. The County abatement for real property taxes shall be for a period of ten (10) years. The County abatement shall apply to the taxes payable in years 2008 through 2017.
- b. The County abatement shall be for 100% of the County's share of the ad valorem property taxes associated with the property.
- c. The County abatement shall not be modified or changed during the term set forth above, except with prior written consent of the County.
- d. The County abatement shall be contingent upon F& L Development LLC, or Tom Serie beginning construction of the motel and finishing the same in 2008. If no motel is developed or completed in 2008, this Resolution shall be redeemed null, void, and rescinded.
- e. In order to be entitled to the County abatement, neither F& L Development, LLC or Tom Serie, shall be in default with the County for any of its payment obligations respecting any assessments, utility charges, or other governmental impositions. If F & L Development, LLC or Tom Serie is in default on any of its assessments, utility charges, or other governmental impositions those costs must be made paid in full before F & L Development, LLC or Tom Serie can take the abatement for that particular year in which those costs were incurred and in default.
- f. The County abatement shall become null and void should the property be located in a tax increment financing district.

On motion by Stangler, seconded by Hayes and approved, the Board adjourned until Tuesday, October 2, 2007 at 9:30 am.

ATTEST:

  
Le Sueur County Coordinator

  
Le Sueur County Chairman



**City Offices**  
201 Ash Avenue SW  
Montgomery, MN 56069  
Phone: 507.364.8888  
Fax: 507.364.5371

Website: [www.cityofmontgomerymn.com](http://www.cityofmontgomerymn.com)

Thursday, April 14, 2016

Darrell Petis  
County Administrator/Engineer  
Le Sueur County  
88 South Park Avenue  
Le Center, MN 56057

Dear Darrell,

This letter is a follow-up to our conversation regarding the County's willingness and interest in partnering with the City of Montgomery on tax abatement for a potential hotel development in the city.

The City executed a preliminary development agreement with BriMark Construction to develop a small (30 -34 room) name brand hotel. The city engaged Core Distinctions Group to conduct a feasibility study in 2015. The study indicated the city could support a small name brand hotel. I have attached a copy of the feasibility study for your information.

We have been told by the developers that they would be interested in some type of public assistance. The site we are proposing for the development does not qualify for Tax Increment Finance so the option we have is tax abatement. Our initial proposal was to abate only the city portion of the taxes in a stepdown fashion starting at 75% for the first 5 years; 50% second 5 years; and 25% for the last 5 years for a total 15 year abatement.

In discussing the proposal with the developer, they were hoping for a bit more savings on their project. So, we are asking the County if there is interest in partnering with the city. We feel that with the county participating in the abatement, the project may become more feasible to the developers.

With the county's involvement, we would be looking at 20 year abatement and would look to step the abatement similar to our original proposal in 5 year increments starting at 100%. Based on our calculations using 2016 information, the county share of the abatement would be roughly \$14,000 and the city's share would be approximately \$30,000.

The parcel we are proposing is currently in tax forfeit and generating no property tax revenue. The city proposes to purchase the property and selling a portion to the developer. The estimated value of the completed project is just over \$1.7 million.

The project would create 5 to 10 full-time jobs. There is a potential for additional part-time employment as well.

The one of the goals stated in the city's business assistance policy is to encourage high value commercial development. This particular project fits this goal as well as fitting with the city's comprehensive plan.

In addition to the feasibility market study, I have attached the most recent proforma for the project and the tax abatement estimate prepared by our financial advisor. Please note the proforma is based on a city only abatement at 75% and the document prepared by our financial advisor is based on 2015 data. These two documents would need to be revised using current data.

Thank you for your time and consideration. Should you have any questions, please feel free to contact me.

Best Regards,

Brian Heck  
City Administrator  
City of Montgomery





## Minnesota Department of Natural Resources

Operations Services Division  
1601 Minnesota Drive  
Brainerd, MN 56401  
(218) 203-4389

April 7, 2016

Charles A. Zelle  
Commissioner  
Minnesota Department of Transportation  
395 John Ireland Blvd.  
St. Paul, MN 55155

Dear Commissioner Zelle:

Minnesota Statutes Section 162.06 Subdivision 5 authorizes funds for "...the reconstruction, improvement, repair and maintenance of county roads, city streets and town roads that provide access to public lakes, rivers, state parks, and state campgrounds... the Commissioner of Natural Resources shall obtain a written comment on the project from the county engineer of the county requested to undertake the project." State Park Road Account funds are to be used for access road construction/maintenance and necessary supporting infrastructure to state recreational units. Improvements to recreational facilities (parking lots, trails, boat ramps, etc.) cannot utilize this funding. County State Aid Highways must be approved by the County State Aid Screening Board.

This letter serves as notice that \$200,000.00 of State Park Road Account Funding is hereby authorized to Le Sueur County for improvement consisting of reconstruction of roadway aggregate base and bituminous surfacing of Clear Lake Lane from CSAH 26 to the Clear Lake Public Water Access.

The following criteria must be met before authorization to proceed to letting and award of contract can be issued:

1. The unit of government (county, township, city) initiating this project must review the project with the DNR Area Hydrologist and Wildlife Manager to determine if the project has any adverse effect on protected waters or lands currently enrolled in the Reinvest in Minnesota (RIM) program.
2. A plan must be developed, signed by a registered engineer and submitted to the MN/DOT District State Aid Engineer through the County Engineer.
3. The Department of Transportation, Office of State Aid, will review the plan and if acceptable will notify the county engineer and the local unit of government to proceed with letting, force account or negotiated agreement.
  - A. The County shall administer the contract, force account or negotiated agreement.
  - B. For projects managed by the County, the County Engineer will supervise the construction and budget as the work progresses.
  - C. On all projects, the District State Aid Engineer will monitor the progress of the project according to the specifications and proposals.

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4. Payment requests as submitted by the County Engineer and based on estimates or force account agreements, shall be administered in accordance with State Aid rules and payments will be made to the County Treasurer.
5. Overruns are the responsibility of the local unit of government unless approved by the Department of Natural Resources and the State Aid Engineer.
6. Right-of-way costs (payments to land owners) are a reimbursable cost.
7. Preliminary and construction engineering costs are the responsibility of the local unit of government.
8. The minimum standards for any improvement must be designed as shown on the attached sheet.

Sincerely,



Sarah Strommen  
Assistant Commissioner

Attachments: Minimum Standards

CC: Paul Stine, Office of State Aid  
Darrell Pettis, County Engineer, Le Sueur County  
Craig Beckman, DNR Parks & Trails Supv., New Ulm  
Gordon Regenscheid, District 7 Asst. State Aid Engineer  
Steve Hennessy, DNR Acquisition & Development Coordinator  
Jesse Roberts, NR Program Consultant, FAW  
Deb Pitt, Roads & Tree Improvement Programs Coordinator, Forestry  
File, SAU 716



# PARK ROAD ACCOUNT PROJECTS

## Minimum Geometric Design Standards <sup>(1)</sup>

Minimum Geometric Design Standards For New / Reconstruction							
Park Road Account Projects							
Not On The State Aid System <sup>(1)</sup>							
Surface Type	Design Speed MPH (2)	Lane Width Feet	Shoulder Width Feet (3)	In-Slope Rise: Run (4)	Clear Zone Feet	Design Strength Tons	Bridge to Remain Width Feet (5)
Aggregate ADT < 100	30	11	1	1:3	3	--	22
Paved ADT < 100	30	11	2	1:3	6	7	22
Aggregate ADT < 300	30	11	2	1:3	9	--	22
Paved ADT < 300	40	11	3	1:4	9	7	22
Aggregate ADT < 750	30	12	3	1:4	10	--	24
Paved ADT < 750	30	12	4	1:4	10	7	24
Paved ADT < 750	40	12	4	1:4	15	7	24

Engineering judgment may be used to choose dimensions other than the widths indicated in the chart for roadways. Factors to consider may be safety, speed, population, land use, benefit/cost analysis, traffic mix, farm equipment, environmental impacts, terrain limitations, bicycle traffic, pedestrian traffic, other non-motorized uses, functional classification, or other factors. Widths less than those indicated in the chart require a variance from the Commissioners of Department of Transportation and Natural Resources.

- (1) Rural design sections with ADT greater than 750 must meet the minimum requirements for state aid highways (8820.9920). Urban design sections must meet the minimum requirements for state aid streets (8820.9936).
- (2) Based on stopping sight distance.
- (3) The designer will provide a four-foot minimum paved shoulder if the route is a popular bicycle route.
- (4) Applies to slope within clear zone area only. Obstacle-free area measured from edge of traffic lane. Guardrail is required at all bridges where the design speed exceeds 40 mph, and either the ADT exceeds 400 or the bridge width is less than the sum of the lane and shoulder widths. Mailbox supports must be in accordance with 8818.
- (5) Inventory rating of HS 15 is required. A bridge narrower than these widths may remain in place if the bridge does not qualify for federal-aid bridge funds. HS 25 loading with AASHTO Standard Specifications or HL-93 loading with load and resistance factor design (LRFD) is required for new or reconstructed bridges. HS 18 loading is required for all rehabilitated bridges. The curb-to-curb minimum width for new or reconstructed bridges must be no less than either the minimum required lane plus shoulder width or the proposed lane plus shoulder width, whichever is greater, but in no case less than the minimum lane widths plus four feet, and in no case less than required per Minnesota Statutes, section [165.04](#).

**PRELIMINARY ENGINEER'S ESTIMATE****CLEAR LAKE ACCESS ROAD**

LE SUEUR COUNTY

BMI PROJECT NO. M19.38106

6/5/2014

ITEM NO.	ITEM	UNIT	UNIT PRICE	TOTAL QUANTITY	TOTAL AMOUNT
1	MOBILIZATION	LUMP SUM	\$20,000.00	1	\$20,000.00
2	CLEARING	TREE	\$500.00	1	\$500.00
3	GRUBBING	TREE	\$500.00	1	\$500.00
4	REMOVE CURB AND GUTTER	LIN FT	\$3.00	40	\$120.00
5	REMOVE PIPE CULVERT	LIN FT	\$5.00	150	\$750.00
6	REMOVE BITUMINOUS PAVEMENT	SQ YD	\$2.50	855	\$2,137.50
7	COMMON EXCAVATION (P)	CU YD	\$6.00	4,400	\$26,400.00
8	SUBGRADE EXCAVATION (EV)	CU YD	\$6.00	500	\$3,000.00
9	STABILIZING AGGREGATE (CV)	CU YD	\$35.00	500	\$17,500.00
10	EXPLORATORY EXCAVATION	HOURL	\$200.00	8	\$1,600.00
11	AGGREGATE BASE (CV) CLASS 5 (P)	CU YD	\$35.00	1,100	\$38,500.00
12	SELECT GRANULAR BORROW (CV)(P)	CU YD	\$18.00	2,150	\$38,700.00
13	TYPE SP 12.5 NON WEAR COURSE MIX (3,B) 3" THICK (P)	SQ YD	\$13.50	4,660	\$62,910.00
14	TYPE SP 12.5 NON WEAR COURSE MIX (3,B) 2" THICK (P)	SQ YD	\$9.00	4,660	\$41,940.00
15	TYPE SP 12.5 WEAR COURSE MIX (3,B) 2" THICK (P)	SQ YD	\$9.00	4,660	\$41,940.00
16	BITUMINOUS MATERIAL FOR TACK COAT (P)	GAL	\$2.50	470	\$1,175.00
17	GEOTEXTILE FABRIC TYPE V	SY	\$1.00	5,700	\$5,700.00
18	18" RC PIPE APRON	EACH	\$650.00	1	\$650.00
19	4" PERF PVC PIPE DRAIN	LIN FT	\$6.00	2,260	\$13,560.00
20	12" STORM SEWER	LIN FT	\$25.00	14	\$350.00
21	15" STORM SEWER	LIN FT	\$33.00	38	\$1,254.00
22	18" STORM SEWER	LIN FT	\$40.00	71	\$2,840.00
23	CONST DRAINAGE STRUCTURE, DESIGN R-1	LIN FT	\$275.00	12.5	\$3,437.50
24	CONST DRAINAGE STRUCTURE, SPECIAL W/ SAFL BAFFLE	EACH	\$3,500.00	1	\$3,500.00
25	CASTING ASSEMBLY (STORM)	EACH	\$600.00	5	\$3,000.00
26	RANDOM RIP RAP, CLASS III	TON	\$55.00	20	\$1,100.00
27	CONCRETE CURB & GUTTER DESIGN MOUNTABLE	LIN FT	\$13.00	2,415	\$31,395.00
28	CONCRETE CURB & GUTTER DESIGN RIBBON CURB	LIN FT	\$15.00	85	\$1,275.00
29	CONCRETE DRIVEWAY 6" THICK	SQ FT	\$6.50	290	\$1,885.00
30	TRAFFIC CONTROL	LUMP SUM	\$2,500.00	1.00	\$2,500.00
31	F&I SIGN PANEL TYPE R	EACH	\$200.00	3	\$600.00
32	F&I SIGN PANEL TYPE SPECIAL (W)	EACH	\$200.00	1	\$200.00
33	4" DOUBLE SOLID LINE YELLOW - PAINT	LIN FT	\$2.00	1,225	\$2,450.00
34	12" STOP LINE WHITE - PAINT	LIN FT	\$4.00	16	\$64.00
35	SILT FENCE TYPE MACHINE SLICED	LIN FT	\$2.00	1,060	\$2,120.00
36	INLET PROTECTION	EACH	\$250.00	4	\$1,000.00
37	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,500.00	1	\$1,500.00
38	CATEGORY 4 EROSION CONTROL BLANKET	SQ YD	\$2.00	720	\$1,440.00
39	SEEDING	ACRE	\$600.00	0.80	\$480.00
40	SEED MIXTURE 25-151	LB	\$3.00	150	\$450.00
41	FERTILIZER, TYPE 1	LB	\$1.25	160	\$200.00
42	HYDRAULIC SOIL STABILIZER, BONDED FIBER MATRIX	TON	\$2,200.00	1.40	\$3,080.00
43	SELECT TOPSOIL BORROW (LV)	CU YD	\$17.00	850	\$14,450.00
				TOTAL	<b>\$398,153.00</b>





# Le Sueur County Highway Department

88 SOUTH PARK AVENUE • LE CENTER, MINNESOTA 56057  
TEL: 507-357-8536; FAX: 507-357-4520  
dtiegs@co.le-sueur.mn.us  
David Tiegs, Assistant Highway Engineer

April 4<sup>th</sup>, 2016

RE: Maintenance Graveling Le Sueur County Road 143

## Proposal:

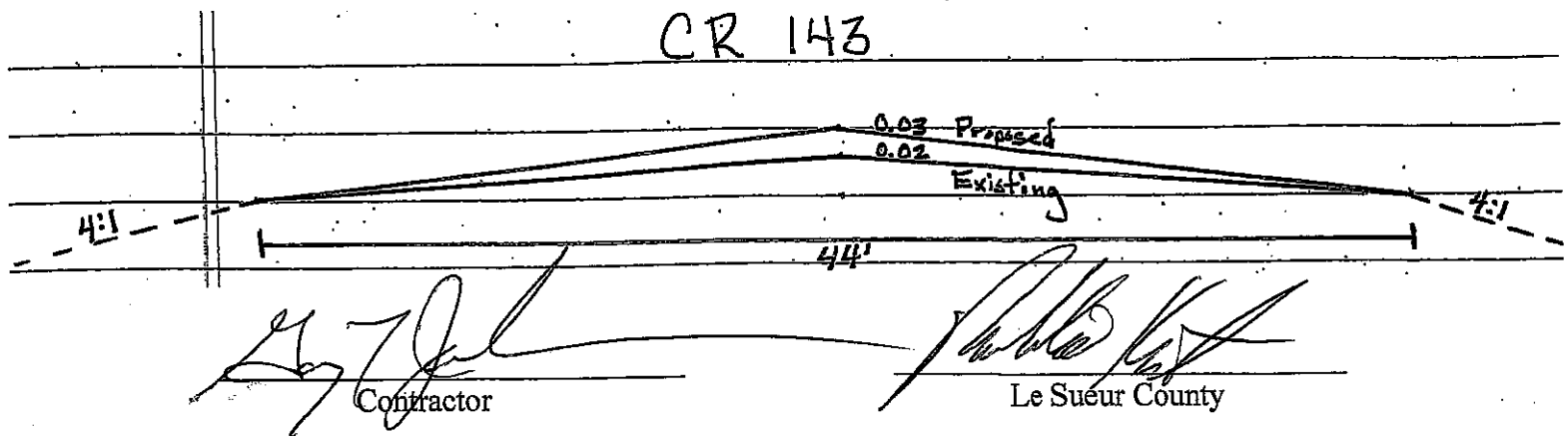
The Contractor shall provide Class 5 Aggregate surfacing meeting the requirements of section 3138 of the "Standard Specifications for Construction" 2016 edition.

The Class 5 Aggregate shall be placed according to the requirements of Section 2118 and 2211 of the "Standard Specifications for Construction" 2016 edition.

Le Sueur County will pay for the aggregate surfacing on the basis of the following schedule:

Item No:	Item	Unit	Estimated Quantity	Unit Price	Est. Total Cost
2118.501	Aggregate Surfacing Class 5	TON	6815	\$11.30	\$77,009.50

This shall be considered payment in full for the material, loading, applicable taxes, dust control, hauling, placement, and compaction. The material shall be placed to generally conform with the attached typical section.



## Three County Transit

As discussed at the April 13 meeting, three tasks were assigned with the request to report back at the May 4<sup>th</sup> meeting. The tasks are as follows:

**Task 1:**

Check in on whether a membership makeup of :

- 2 members from Blue Earth County Board
- 2 members from Le Sueur County Board
- 2 members from Nicollet County Board
- 1 member from City of Le Sueur
- 1 member from City Saint Peter
- 1 member from a small City designated by Blue Earth County
- 9 Total JPA members

....is acceptable as a governance body in a Joint Powers Agreement?

**Task 2:** Each County will review its service goals and discuss service level wants including where service would be provided and frequency.

**Task 3:** County Boards will review their initial want for a County Only Joint Powers Agreement and whether that remains their preferred position.

Please contact Todd if you have any questions or concerns.

Next meeting: May 4<sup>th</sup> at 1:30 p.m. at the Saint Peter Room in the Saint Peter Community Center.



## Minnesota Department of Transportation

395 John Ireland Boulevard

Saint Paul, MN 55155

# News Release

April 14, 2016

Contact: Kevin Gutknecht

651-366-4266

[kevin.gutknecht@state.mn.us](mailto:kevin.gutknecht@state.mn.us)

## MnDOT announces 2016 state road construction season

*The 2016 program includes 44 fewer projects than the 2015 construction season, \$70 million less in funding*

*State transportation investment is expected to continue declining in future years under current funding formula*

*MnDOT expected to experience a fiscal shortfall in 2018, reducing ongoing state road and bridge funding by 45 percent*

ST PAUL, Minn. — Minnesota Lt. Gov. Tina Smith and Transportation Commissioner Charlie Zelle announced today a list of 246 state road and bridge projects slated for construction this season. This year's effort provides significant maintenance work for the state transportation system. However, MnDOT is expected to experience a funding shortfall in 2018 under the current funding formula, which will reduce ongoing state road and bridge funding by 45 percent. This would significantly curtail the agency's ability to fund preservation and maintenance work and leave no resources for expansion.

**"Forecasts for state transportation revenue show that our need is quickly outstripping the available resources,"** said Lt. Gov. Tina Smith. **"Minnesota's roads, bridges, and transit networks form the backbone of our economy. Our plan would provide the resources we need to create a 21<sup>st</sup> Century transportation system and build an economy that works for all Minnesotans. I urge the Legislature to pass a long-term, sustainable funding solution this year."**

Gov. Dayton and Lt. Gov. Smith have a proposed a comprehensive transportation funding plan that would invest \$6 billion over the next ten years to alleviate the state's highway funding deficit. The Gov. and Lt. Gov.'s plan would repair or replace 2,200 miles of roads and 330 bridges statewide. It also would provide local communities additional resources to fix roads and bridges in cities, counties and townships around Minnesota.

**"What we need now is a long-term vision for Minnesota's transportation system,"** said Commissioner Charlie Zelle. **"It's all in the arithmetic. Our needs are outpacing our revenue projections. If we don't increase the revenue, we cannot plan for good, capital investments. Our system will continue to degrade and not provide the necessary support our economy needs."**

- more -

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More than half of Minnesota's roads are more than 50 years old, and 40 percent of the state's bridges are more than 40 years old. In just the next three years alone, one in five Minnesota roads will pass their useful life. In the next ten years, nearly 40 percent of our roads will be past their useful life.

With the new funding proposed by Gov. Dayton and Lt. Gov. Smith, MnDOT would have the resources necessary to make needed repairs across the state – ensuring that Minnesotans are driving on safe, reliable roads and bridges. The proposal would invest an additional \$1.6 billion in the Corridors of Commerce program, which would ensure MnDOT could continue expanding roadways essential to economic growth.

### **2016 Road and Bridge Construction Season**

Because of the number of work zones motorists will encounter as crews perform road construction and maintenance work this construction season, MnDOT asks drivers to be alert on the road this summer. MnDOT urges motorists to:

- Check [www.511mn.org](http://www.511mn.org) for up-to-date information about traffic and road conditions
- Minimize distractions (e.g., don't use cell phones or eat or drink while driving)
- Follow posted speed limits; fines double in work zones
- Expect delays, especially during peak travel times

For a complete list of projects, including construction dates and traffic impacts, visit [www.mndot.gov/construction](http://www.mndot.gov/construction).

In addition, motorists can keep informed about projects and other transportation topics by connecting to MnDOT via social media, as well as signing up to receive email updates at [www.mndot.gov](http://www.mndot.gov).

###

An Equal Opportunity Employer







April 12, 2016

Darrell Pettis  
Le Sueur County  
88 S Park Ave  
Le Center, MN 56057

Dear Darrell,

Thank you for your membership in the Minnesota Transportation Alliance!

As an Alliance member you receive benefits including *reports, legislative updates, news summaries, and member rates on our major events* including Transportation Day at the Capitol, the Washington, D.C. Fly-In and the Annual Meeting and Construction Forecast event.

**We wanted to provide you with some important updated information at this time.** We've reached the halfway point of the 2016 Legislative Session. We have a real opportunity to secure additional transportation funding, but legislators will need to hear from you and others in their districts as well as hearing about the issue through the media in order to maintain pressure for action this year.

You can make a difference by contacting your legislators and reaching out to your local news media with a brief email urging action on transportation prior to the May deadline for the 2016 Session. Please visit our web site for more information and new updates: [www.transportationalliance.com](http://www.transportationalliance.com)

As always, **we're hosting our Washington, D.C. Fly-In June 7-9** to bring our members together with the Minnesota Congressional Delegation to keep transportation on their agendas. We're excited about the passage of the FAST Act in December. Thanks to the perseverance of transportation advocates we have 5 years of stable and increasing federal funding. **For Minnesota, we anticipate an increase of \$70 million in the trunk highway appropriation for the 2016-17 biennium and an increase of \$145 million for the 2018-19 biennium thanks to the FAST Act.**

At our Fly-In, we'll be learning more about the implementation of the FAST Act, what it means for Minnesota projects and what the impact will be for each of the ATPs. Great deals are available right now for airfare and hotel in D.C. and we're planning a great time in this historic city with receptions and informational presentations. We're happy to make appointments for you with your Congressional member and our US Senators.

**With your support and involvement, we will continue to make progress in increasing investments in all modes of transportation throughout the state.** We look forward to seeing you at our Fly-In in June and our Annual Meeting in the fall.

Sincerely,

Margaret Donahoe  
Executive Director



# Local Option Transportation Funding Sources for Minnesota Counties

An Examination of the Local Option Wheelage Tax, the Sales Tax, and the Vehicle Excise Tax



Prepared by: The Minnesota Transportation Alliance  
April, 2016



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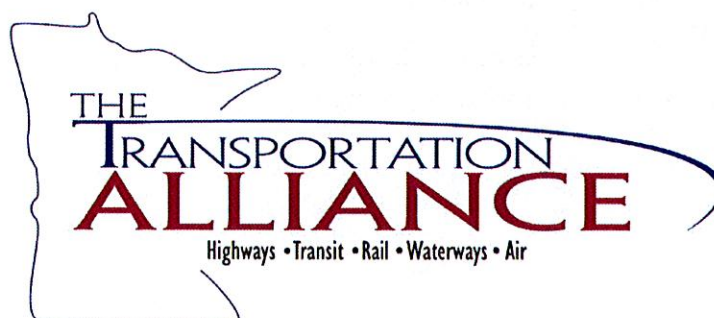
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## About this report

The Minnesota Transportation Alliance has long advocated for additional tools that Minnesota's local governments could use to address their unmet road, bridge, and transit funding needs. In particular, recent efforts have focused on three specific funding tools: 1) the \$10/vehicle County Wheelage Tax; 2) the local option half-cent dedicated sales tax; and 3) the \$20/vehicle excise tax. Along with our partners, the Alliance's efforts have been successful in securing legislation granting authority to Minnesota's counties to adopt these local option taxes.

This report details each of these funding options, providing background information, current law provisions, and estimated projections of potential revenues that might be realized for each of Minnesota's 87 counties if they were to adopt these taxes.



# Wheelage Tax

## Background

The wheelage tax was first authorized by the legislature in 1972 for counties in the Twin Cities metropolitan area at a rate of \$5 per vehicle. The authority to use this tax was not immediately widely embraced because the law required a reduction in the general property tax levy equivalent to the revenue generated by the wheelage tax. Over the years, transportation advocates have advocated for changes to the law that would expand the authority to levy the tax beyond the metro area counties and to repeal the requirement of a corresponding reduction in the general property tax levy. In 2008, the legislature repealed the provision requiring an offsetting reduction in the property tax levy, and by 2013, five of the seven metro area counties had adopted the \$5 per vehicle wheelage tax.

In subsequent years, the Alliance and other transportation advocates continued to push for expansion of the authority to all 87 counties and a change in the rate to allow the tax to be imposed by counties at a rate up to \$20 per vehicle. During the 2013 legislative session, the Transportation Alliance worked with state lawmakers to introduce a transportation funding bill (SF891/HF931) that would provide additional revenue for highways and transit. A provision in the bill included the expansion of the wheelage tax to all 87 counties and the authority to charge up to \$20 per vehicle. That provision passed in the final Transportation Appropriations bill of 2013 (Chapter 117; Article 3, section 4). Due to computer programming issues at the Department of Public Safety, the new law restricted the rate of the wheelage tax to \$10 per vehicle from January 1, 2014 through December 31, 2017, but after January 1, 2018, all counties will be able to charge an amount up to \$20 per vehicle annually in any increment of a whole dollar.

## Current Law Provisions

- Tax revenue generated by the wheelage tax must be deposited in the county road and bridge fund and must be used for highway purposes within the meaning of Article 14 of the Minnesota Constitution. Revenue generated through the wheelage tax does not have to be spent exclusively on the State Aid system. Tax revenues must be used for transportation needs, including highway preservation projects and expansion projects
- The following vehicles are subject the wheelage tax: passenger vehicles, pick-up trucks, one ton trucks, buses, class 2 city buses, school buses, farm trucks, concrete pump/sweepers, prorated trucks, commercial zone trucks, van pools, commercial trucks and prorated foreign trucks.
- The following vehicles are exempt from the wheelage tax: motorcycles, vertical motorcycles, recreational vehicles, prorated (MN trailer), mopeds, contract trailers, semi-trailers, farm trailers, state owned tax exempt and tax exempt vehicles, utility trailers, street rods, pioneers, classics, collector and classic motorcycles.
- A county board may provide for the collection of the wheelage tax by resolution by county officials or it may request that the tax be collected by the state registrar of motor vehicles. If the tax is made collectible by the state registrar, it needs to be certified by the county auditor to the registrar no later than August 1 in the year before the calendar year or years for which the tax is levied.

**The following table shows the present wheelage tax status of each of Minnesota's 87 counties. Fifty-one counties – shown in green – have approved the \$10 wheelage tax. Four counties – shown in orange – once had adopted the wheelage tax but have since discontinued it. Thirty-two counties – shown in blue – have yet to adopt the tax.**

If all 87 counties were to impose the wheelage tax at the \$10 per vehicle rate, we estimate that the tax would generate approximately \$45.8 million statewide in the coming year.

[Estimation methodology applies \$10 wheelage tax to actual taxable vehicle counts in 2014 maintained by the Minnesota Department of Public Safety.]

Table 1: Estimated Revenue from \$10 Wheelage Tax, by County					
County	Actual 2014 Taxable Vehicle Counts	Estimated Revenue from \$10 Wheelage Tax	County	Actual 2014 Taxable Vehicle Counts	Estimated Revenue from \$10 Wheelage Tax
Aitkin	16,585	\$165,850	Martin	20,918	\$209,180
Anoka	280,112	\$2,801,120	McLeod	35,910	\$359,100
Becker	32,161	\$321,610	Meeker	22,505	\$225,050
Beltrami	34,703	\$347,030	Mille Lacs	28,042	\$280,420
Benton	32,413	\$324,130	Morrison	34,408	\$344,080
Big Stone	6,001	\$60,010	Mower	35,301	\$353,010
Blue Earth	50,864	\$508,640	Murray	10,177	\$101,770
Brown	28,109	\$281,090	Nicollet	25,950	\$259,500
Carlton	32,352	\$323,520	Nobles	20,482	\$204,820
Carver	76,105	\$761,050	Norman	7,542	\$75,420
Cass	26,232	\$262,320	Olmsted	120,054	\$1,200,540
Chippewa	12,469	\$124,690	Otter Tail	56,865	\$568,650
Chisago	54,509	\$545,090	Pennington	13,635	\$136,350
Clay	47,610	\$476,100	Pine	27,290	\$272,900
Clearwater	9,668	\$96,680	Pipestone	10,668	\$106,680
Cook	5,424	\$54,240	Polk	30,080	\$300,800
Cottonwood	12,463	\$124,630	Pope	11,491	\$114,910
Crow Wing	61,138	\$611,380	Ramsey	380,196	\$3,801,960
Dakota	339,850	\$3,398,500	Red Lake	4,744	\$47,440
Dodge	19,717	\$197,170	Redwood	17,222	\$172,220
Douglas	36,283	\$362,830	Renville	17,353	\$173,530
Faribault	16,244	\$162,440	Rice	53,069	\$530,690
Fillmore	23,356	\$233,560	Rock	9,388	\$93,880
Freeborn	28,688	\$286,880	Roseau	17,020	\$170,200
Goodhue	46,827	\$468,270	Scott	104,804	\$1,048,040
Grant	7,332	\$73,320	Sherburne	77,869	\$778,690
Hennepin	910,459	\$9,104,590	Sibley	14,708	\$147,080
Houston	19,626	\$196,260	St. Louis	168,770	\$1,687,700



County	Actual 2014 Taxable Vehicle Counts	Estimated Revenue from \$10 Wheelage Tax	County	Actual 2014 Taxable Vehicle Counts	Estimated Revenue from \$10 Wheelage Tax
Hubbard	19,481	\$194,810	Stearns	133,641	\$1,336,410
Isanti	34,519	\$345,190	Steele	33,620	\$336,200
Itasca	42,639	\$426,390	Stevens	9,366	\$93,660
Jackson	10,773	\$107,730	Swift	11,297	\$112,970
Kanabec	15,082	\$150,820	Todd	23,036	\$230,360
Kandiyohi	40,318	\$403,180	Traverse	4,116	\$41,160
Kittson	5,479	\$54,790	Wabasha	23,690	\$236,900
Koochiching	12,914	\$129,140	Wadena	15,079	\$150,790
Lac Qui Parle	8,031	\$80,310	Waseca	18,144	\$181,440
Lake	10,793	\$107,930	Washington	202,789	\$2,027,890
Lake of the Woods	4,445	\$44,450	Watsonwan	11,344	\$113,440
Le Sueur	30,621	\$306,210	Wilkin	7,596	\$75,960
Lincoln	6,885	\$68,850	Winona	39,019	\$390,190
Lyon	24,661	\$246,610	Wright	111,959	\$1,119,590
Mahnomen	3,982	\$39,820	Yellow Medicine	11,442	\$114,420
Marshall	11,395	\$113,950	<b>TOTAL</b>		<b>\$45,819,170</b>

	Adopted
	Discontinued
	No Action



# Local Option Sales Tax

## Background

During the 2008 legislative session, the Transportation Alliance and other transportation funding advocates supported a Local Option Sales Tax to address the transportation funding needs of Minnesota counties. Language was adopted in the comprehensive transportation funding bill – Chapter 152 – authorizing Minnesota counties to adopt a local option sales tax over and above the statewide sales tax of 6.5%.

The new law allowed the seven counties in the Twin Cities metropolitan area to impose a ¼ cent local sales tax for transit purposes. Five of the seven counties in the Metropolitan Area (Anoka, Dakota, Hennepin, Ramsey, and Washington) passed resolutions to establish the Counties Transit Improvement Board, and have been levying this tax to fund transit projects. Scott County enacted its own separate half-cent local option tax under the authority granted to counties in Greater Minnesota and those metro counties not included in the Metropolitan Transportation Area. Carver County has not adopted any local option sales tax.

The 2008 legislation granted additional sales taxing authority to counties in Greater Minnesota by allowing a single county or group of counties acting under a joint powers agreement to impose a local sales tax of up to ½ cent. The law also allows a flat \$20 excise tax on commercial sales of motor vehicles due to the fact that sales of motor vehicles are subject to the state's Motor Vehicles Sales Tax, nor the general sales tax, so sales of motor vehicles are not subject to a county approved local option sales tax dedicated to transportation.

## Current Law Provisions

- Under the law passed in 2008, the local sales tax and excise tax authorized outside of the Metropolitan Transportation Area were subject to approval of the voters via referendum in each county at a general election. In 2013, the Minnesota Transportation Alliance and local government associations including the Association of Minnesota Counties supported replacing the referendum requirement with a requirement that the county board – or county boards in the case of joint agreements – pass a resolution following a public hearing. This language was included in SF891/HF931 and passed in Chapter 117, the Transportation Appropriations bill.
- Current law requires that the proceeds of a local option sales tax be dedicated exclusively to:
  - 1) Payment of the capital cost of a specific transportation project or improvement;
  - 2) Payment of the costs, which may include both capital and operating costs, of a specific transit project or improvement;
  - 3) Payment of the capital costs of a safe routes to school program under Minnesota Statutes, Section 174.40; or
  - 4) Payment of transit operating costs.
- The transportation or transit project or improvement identified in the county board resolution must be specifically designated by the county board or boards. Except for taxes for operating costs of a transit project or improvement or for transit operations, the taxes must terminate when revenues raised are sufficient to finance the project.
- The project must serve a transportation purpose but the language does not specifically require the funding to be used for roadways or bridges. A building that served a transportation purpose would qualify. Bus purchases would not qualify but bus facilities would fall into the category of transit capital.
- In order to impose a local sales tax, a political subdivision must hold a public hearing and provide information on the projects for which the tax revenue will be used and pass a county board resolution.
- The political subdivision shall notify the commissioner of revenue at least 90 days before imposing, changing the rate of, or repealing a tax under this section. The political subdivision shall change the



rate of tax imposed under this section starting only on the first day of a calendar quarter, and only after the commissioner has notified sellers at least 60 days prior to the change.

- The political subdivision shall apply the rate change for sales tax imposed under this section to purchases from printed catalogs, wherein the purchaser computed the tax based upon local tax rates published in the catalog, starting only on the first day of a calendar quarter, and only after the commissioner has notified sellers at least 120 days prior to the change.
- The tax shall be collected by the state and the commissioner of revenue shall remit the proceeds of the tax, less refunds and a proportionate share of the cost of collection, at least quarterly, to the political subdivision.

## Counties That Have Approved the Local Option Sales Tax

The following table shows the 14 Minnesota counties that adopted a local option sales tax in 2014 or 2015, the tax rate, and the revenue generated in 2015.

<b>Table 2: Actual 2015 Revenue from Adopted Local Option Sales Tax, by County</b>			
<b>County</b>	<b>Effective Date</b>	<b>Rate</b>	<b>2015 Revenue</b>
Olmsted *	1/1/2014	0.25%	\$6,413,535
Rice	1/1/2014	0.5%	\$3,055,057
Beltrami	4/1/2014	0.5%	\$3,422,592
Wadena	4/1/2014	0.5%	\$667,293
Becker	7/1/2014	0.5%	\$2,132,982
Douglas	10/1/2014	0.5%	\$3,144,199
Todd	1/1/2015	0.5%	\$601,483
Fillmore	1/1/2015	0.5%	\$726,243
Steele	4/1/2015	0.5%	\$1,574,305
Carlton	4/1/2015	0.5%	\$1,101,908
St. Louis County	4/1/2015	0.5%	\$10,044,074
Hubbard	7/1/2015	0.5%	\$427,917
Lyon	10/1/2015	0.5%	\$291,343
Scott	10/1/2015	0.5%	\$1,173,975
Metro Counties	2008	0.25%	\$11,688,216
*The tax for Olmsted County is imposed at a 0.25 percent rate under a different law (Minn. Stat. § 469.46) to fund transportation improvements related to the Destination Medical Center in Rochester.			

**An additional eight counties have adopted a local option sales tax that will become effective in 2016.** Those counties are shown in the table below.

<b>Table 3: Counties That Have Adopted the Local Option Sales Tax Effective in 2016</b>					
<b>County</b>	<b>Effective Date</b>	<b>Rate</b>	<b>County</b>	<b>Effective Date</b>	<b>Rate</b>
Freeborn	1/1/2016	0.5%	Cass	4/1/2016	0.5%
Otter Tail	1/1/2016	0.5%	Chisago	4/1/2016	0.5%
Blue Earth	4/1/2016	0.5%	Crow Wing	4/1/2016	0.5%
Brown	4/1/2016	0.5%	Wabasha	4/1/2016	0.5%



## Local Option Sales Tax

More counties are adopting and considering adoption of the local option sales in the last two years. The table on the following pages shows the additional revenue that would be generated with the addition of the ½ cent local sales tax for each county based on 2014 taxable sales as reported by the Minnesota Department of Revenue. Counties that have enacted the local option sales tax for transportation are shown in blue.

The total sales and use tax collections increased by approximately 8.5% from the actual collected in 2014 to the 2016 estimate. Future estimates were recently reduced in the February, 2016 budget forecast. The latest projections show an increase of about 4.5% from 2016 to 2017. There is much more uncertainty regarding future sales tax collections and the outlook for future economic growth.

For the FY2018-19 biennium, the general sales tax estimate exceeds the FY 2016-17 forecast by \$1.129 billion, (10.5 percent), accounting for 31 percent of the projected revenue growth. Projections for the state general property and all other taxes show growth over the biennia, and the corporate franchise tax forecast shows a small decline.

**The planning estimates for 2018-19 should be used with caution. Minnesota's Council of Economic Advisers warn that the difficulty of projecting long range economic conditions warrants caution when using economic forecasts of 2018 and 2019.** The latest budget forecast is available on the web site for Minnesota Management and Budget:

<http://www.mn.gov/mmb/forecast/forecast/>

### Current Biennium: FY 2016-17 General Fund Revenues

	February 2016 Forecast	\$ Change	% Change
Individual income tax	\$21,862	\$(95)	(0.4)%
General Sales tax	10,719	(311)	(2.8)
Corporate Franchise Tax	2,551	(93)	(3.5)
State General Property Tax	1,688	(1)	(0.1)
Other Tax Revenue	3,619	35	1.0
Subtotal	<b>40,439</b>	<b>(465)</b>	<b>(1.2)%</b>
	1,462	36	2.5
	388	2	0.6
Total Revenue	<b>\$42,289</b>	<b>\$(427)</b>	<b>(1.0)%</b>

Change From November 2015 Estimates (\$ in millions)



\*Projections are estimates and intended for planning purposes only.

## 2014 Minnesota Sales Tax Totals by County

County	Gross Sales	Taxable Sales	.5% Increase
Aitkin	\$390,176,108	\$110,689,918	\$553,450
Anoka	\$12,717,993,183	\$3,047,497,155	\$15,237,486
Becker	\$1,073,892,310	\$321,953,337	\$1,609,767
Beltrami	\$1,576,289,158	\$502,796,252	\$2,513,981
Benton	\$1,764,841,592	\$350,859,265	\$1,754,296
Big Stone	\$110,750,886	\$24,320,080	\$121,600
Blue Earth	\$5,180,370,371	\$1,137,242,952	\$5,686,215
Brown	\$1,559,308,128	\$258,170,721	\$1,290,854
Carlton	\$956,329,531	\$207,119,162	\$1,035,596
Carver	\$3,444,112,080	\$692,180,546	\$3,460,903
Cass	\$632,410,345	\$222,915,262	\$1,114,576
Chippewa	\$519,766,524	\$110,558,427	\$552,792
Chisago	\$1,345,862,640	\$260,829,490	\$1,304,147
Clay	\$2,115,266,881	\$414,556,324	\$2,072,782
Clearwater	\$356,552,261	\$38,705,874	\$193,529
Cook	\$210,890,256	\$101,680,020	\$508,400
Cottonwood	\$824,533,769	\$66,163,082	\$330,815
Crow Wing	\$2,720,240,881	\$914,665,700	\$4,573,329
Dakota	\$19,935,373,014	\$4,570,606,863	\$22,853,034
Dodge	\$676,577,874	\$87,143,154	\$435,716
Douglas	\$2,127,660,572	\$543,165,874	\$2,715,829
Faribault	\$483,182,726	\$79,535,064	\$397,675
Fillmore	\$861,118,187	\$150,221,335	\$751,107
Freeborn	\$1,781,512,552	\$280,753,686	\$1,403,768
Goodhue	\$1,753,938,436	\$337,049,473	\$1,685,247
Grant	\$571,748,932	\$33,541,682	\$167,708
Hennepin	\$90,141,031,777	\$21,550,024,346	\$107,750,122
Houston	\$306,475,298	\$77,380,790	\$386,904
Hubbard	\$454,750,724	\$150,872,561	\$754,363
Isanti	\$1,088,043,030	\$359,567,631	\$1,797,838
Itasca	\$1,446,111,790	\$400,663,659	\$2,003,318
Jackson	\$527,153,731	\$63,120,613	\$315,603
Kanabec	\$249,008,381	\$57,867,573	\$289,338
Kandiyohi	\$2,257,382,847	\$545,713,549	\$2,728,568
Kittson	\$161,583,230	\$24,406,426	\$122,032



County	Gross Sales	Taxable Sales	.5% Increase
Lac Qui Parle	\$229,713,114	\$29,082,962	\$145,415
Lake	\$299,491,451	\$89,024,210	\$445,121
Lake of the Woods	\$138,726,900	\$62,320,403	\$311,602
Le Sueur	\$839,953,845	\$117,121,732	\$585,609
Lincoln	\$158,758,519	\$33,867,954	\$169,340
Lyon	\$2,127,750,811	\$317,514,122	\$1,587,571
Mahnomen	\$168,895,655	\$51,937,450	\$259,687
Marshall	\$273,207,184	\$44,289,247	\$221,446
Martin	\$1,359,837,654	\$159,663,829	\$798,319
McLeod	\$1,413,377,314	\$335,756,093	\$1,678,780
Meeker	\$1,328,455,642	\$150,098,812	\$750,494
Mille Lacs	\$723,042,577	\$172,371,111	\$861,856
Morrison	\$773,936,535	\$196,225,546	\$981,128
Mower	\$918,307,994	\$239,621,288	\$1,198,106
Murray	\$398,579,160	\$44,084,241	\$220,421
Nicollet	\$843,434,987	\$174,986,050	\$874,930
Nobles	\$1,216,324,340	\$184,346,973	\$921,735
Norman	\$217,074,809	\$35,711,248	\$178,556
Olmsted	\$6,298,896,715	\$1,822,241,835	\$9,111,209
Otter Tail	\$2,477,216,083	\$647,553,119	\$3,237,766
Pennington	\$1,168,796,303	\$155,510,837	\$777,554
Pine	\$440,467,494	\$145,811,342	\$729,057
Pipestone	\$458,900,626	\$66,842,228	\$334,211
Polk	\$998,801,228	\$201,344,695	\$1,006,723
Pope	\$403,360,392	\$63,005,707	\$315,029
Ramsey	\$29,052,742,570	\$6,255,177,745	\$31,275,889
Red Lake	\$111,012,823	\$25,459,796	\$127,299
Redwood	\$1,356,089,603	\$136,189,908	\$680,950
Renville	\$592,372,975	\$72,674,281	\$363,371
Rice	\$2,669,801,660	\$441,818,717	\$2,209,094
Rock	\$346,989,863	\$51,047,332	\$255,237
Roseau	\$662,137,528	\$119,274,518	\$596,373
Scott	\$4,348,562,826	\$1,236,982,006	\$6,184,910
Sherburne	\$2,417,549,584	\$622,067,619	\$3,110,338
Sibley	\$735,628,784	\$53,340,464	\$266,702
St. Louis	\$8,924,243,185	\$2,362,898,356	\$11,814,492
Stearns	\$8,576,744,547	\$1,806,595,252	\$9,032,976
Steele	\$3,263,506,750	\$408,079,979	\$2,040,400
Stevens	\$438,893,381	\$92,104,285	\$460,521
Swift	\$624,356,396	\$70,694,262	\$353,471
Todd	\$1,076,205,044	\$77,028,317	\$385,142
Traverse	\$128,946,805	\$18,116,995	\$90,585



County	Gross Sales	Taxable Sales	.5% Increase
Wabasha	\$548,271,406	\$102,737,744	\$513,689
Wadena	\$672,319,635	\$128,216,985	\$641,085
Waseca	\$416,322,484	\$95,186,259	\$475,931
Washington	\$11,070,167,568	\$2,154,733,411	\$10,773,667
Watsonwan	\$614,989,860	\$55,017,594	\$275,088
Wilkin	\$371,373,330	\$20,749,588	\$103,748
Winona	\$2,273,932,385	\$394,234,540	\$1,971,173
Wright	\$4,555,313,362	\$1,093,300,428	\$5,466,502
Yellow Medicine	\$381,197,758	\$47,229,657	\$236,148
Non-Minnesota Co.	\$73,051,745,790	\$12,185,996,626	\$60,929,983
Total	\$348,160,806,054	\$73,865,027,871	\$369,325,139
	Tax Enacted		
Source: Minnesota Department of Revenue, Tax Research Division, April 2016			

## Vehicle Excise Tax

The 2008 legislation granted additional sales taxing authority to counties in Greater Minnesota by allowing a single county or group of counties acting under a joint powers agreement to impose a local sales tax of up to ½ cent and a \$20 excise tax on commercial sales of motor vehicles.

Sales of motor vehicles are subject to the state's Motor Vehicles Sales Tax, not the general sales tax, so sales of motor vehicles are not subject to a county approved local option sales tax dedicated to transportation.

[Note: the more detailed background and current law provisions included in the discussion of the half-cent local option sales tax on page 8 are relevant here, since both the half-cent local option sales tax and the \$20/vehicle excise tax are contained in the same law.]

Ten counties have imposed the \$20 vehicle excise tax.

Table 5: Actual 2015 Revenue Generated by \$20 Vehicle Excise Tax, by County		
County	Effective Date	2015 Revenue *
Anoka	7/1/2008	\$853,462
Dakota	7/1/2008	\$1,029,371
Hennepin	7/1/2008	\$2,786,133
Ramsey	7/1/2008	\$1,158,077
Washington	7/1/2008	\$621,858
Beltrami	4/1/2014	\$78,120
St. Louis *	4/1/2015	\$209,640
Carlton *	4/1/2015	\$30,475
Scott *	10/1/2015	\$25,360
Otter Tail *	1/1/2016	--
* These county's excise tax became effective after Jan 1, 2015, so 2015 revenues represent partial year only.		



## Estimated Potential Revenue from a \$20/Commercial Vehicle Excise Tax, by County

**DISCLAIMER:** These numbers are estimates by Alliance staff for planning purposes only. These estimates were derived from information from the Department of Revenue, state budget forecast and Department of Public Safety.

**Methodology:** The Minnesota Automobile Dealers Association reports that 214,075 cars and light trucks (vans, sport utility vehicles, and pick-up trucks) were sold in Minnesota in 2014. An estimate of the revenue potential for each county is derived by apportioning that share of cars and light trucks sold in 2014 on the basis of actual total vehicle counts in 2014, which is data maintained by the Minnesota Department of Public Safety.

<b>Table 6: Estimated Projected Potential Revenue from \$20/Vehicle Excise Tax, by County</b>					
<b>County</b>	<b>2014 Car &amp; Light Truck Sales</b>	<b>Estimated Annual Revenue from \$20/Vehicle Excise Tax</b>	<b>County</b>	<b>2014 Car &amp; Light Truck Sales</b>	<b>Estimated Annual Revenue from \$20/Vehicle Excise Tax</b>
Aitkin	765	\$15,291	Martin	945	\$18,900
Anoka <sup>(1)</sup>	--	\$853,462	McLeod	1,654	\$33,079
Becker	1,469	\$29,389	Meeker	1,025	\$20,507
Beltrami <sup>(1)</sup>	1,613	\$78,120	Mille Lacs	1,285	\$25,708
Benton	1,489	\$29,777	Morrison	1,573	\$31,455
Big Stone	266	\$5,321	Mower	1,638	\$32,756
Blue Earth	2,298	\$45,963	Murray	453	\$9,051
Brown	1,246	\$24,916	Nicollet	1,210	\$24,195
Carlton <sup>(2)</sup>	1,524	\$30,475	Nobles	932	\$18,630
Carver	3,603	\$72,063	Norman	329	\$6,582
Cass	1,219	\$24,385	Olmsted	5,613	\$112,252
Chippewa	551	\$11,022	Otter Tail <sup>(3)</sup>	2,608	\$52,152
Chisago	2,542	\$50,837	Pennington	628	\$12,553
Clay	2,219	\$44,375	Pine	1,250	\$25,007
Clearwater	426	\$8,517	Pipestone	475	\$9,507
Cook	253	\$5,053	Polk	1,366	\$27,318
Cottonwood	551	\$11,029	Pope	523	\$10,459
Crow Wing	2,852	\$57,034	Ramsey <sup>(1)</sup>	--	\$1,158,077
Dakota <sup>(1)</sup>	--	\$1,029,371	Red Lake	213	\$4,251
Dodge	896	\$17,918	Redwood	766	\$15,323
Douglas	1,667	\$33,336	Renville	758	\$15,167
Faribault	720	\$14,406	Rice	2,436	\$48,713
Fillmore	1,049	\$20,977	Rock	425	\$8,509
Freeborn	1,325	\$26,499	Roseau	769	\$15,372
Goodhue	2,148	\$42,951	Scott <sup>(2)</sup>	4,912	\$98,241
Grant	316	\$6,319	Sherburne	3,641	\$72,819
Hennepin <sup>(1)</sup>	--	\$2,786,133	Sibley	660	\$13,205
Houston	899	\$17,975	St. Louis <sup>(1)</sup>	--	\$209,640



County	2014 Car & Light Truck Sales	Estimated Annual Revenue from \$20/Vehicle Excise Tax	County	2014 Car & Light Truck Sales	Estimated Annual Revenue from \$20/Vehicle Excise Tax
Hubbard	908	\$18,163	Stearns	6,154	\$123,072
Isanti	1,606	\$32,128	Steele	1,553	\$31,059
Itasca	1,987	\$39,750	Stevens	407	\$8,131
Jackson	482	\$9,634	Swift	493	\$9,869
Kanabec	695	\$13,904	Todd	1,061	\$21,227
Kandiyohi	1,832	\$36,648	Traverse	171	\$3,428
Kittson	238	\$4,761	Wabasha	1,085	\$21,693
Koochiching	592	\$11,834	Wadena	680	\$13,599
Lac Qui Parle	355	\$7,092	Waseca	827	\$16,539
Lake	506	\$10,120	Washington <sup>(1)</sup>	--	\$621,858
Lake of the Woods	203	\$4,057	Watsonwan	515	\$10,305
Le Sueur	1,394	\$27,870	Wilkin	328	\$6,566
Lincoln	300	\$6,008	Winona	1,812	\$36,245
Lyon	1,101	\$22,016	Wright	5,193	\$103,862
Mahnomen	178	\$3,568	Yellow Medicine	507	\$10,136
Marshall	490	\$9,809			

Notes:

(1) Anoka, Beltrami, Dakota, Hennepin, Ramsey, Washington Counties estimates are actual \$20/vehicle excise tax revenue collected in 2015.

(2) Carlton, St. Louis, and Scott Counties have adopted the \$20/vehicle excise tax, effective April 2015.

(3) Otter Tail County has adopted the \$20/vehicle excise tax, effective 1/1/2016.

***THANK YOU***

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**272.0295 SOLAR ENERGY PRODUCTION TAX.**

Subdivision 1. **Production tax.** A tax is imposed on the production of electricity from a solar energy generating system used as an electric power source.

Subd. 2. **Definitions.** (a) For the purposes of this section, the term "solar energy generating system" means a set of devices whose primary purpose is to produce electricity by means of any combination of collecting, transferring, or converting solar generated energy.

(b) The total size of a solar energy generating system under this subdivision shall be determined according to this paragraph. Unless the systems are interconnected with different distribution systems, the nameplate capacity of a solar energy generating system shall be combined with the nameplate capacity of any other solar energy generating system that:

(1) is constructed within the same 12-month period as the solar energy generating system; and

(2) exhibits characteristics of being a single development, including but not limited to ownership structure, an umbrella sales arrangement, shared interconnection, revenue-sharing arrangements, and common debt or equity financing.

In the case of a dispute, the commissioner of commerce shall determine the total size of the system and shall draw all reasonable inferences in favor of combining the systems.

(c) In making a determination under paragraph (b), the commissioner of commerce may determine that two solar energy generating systems are under common ownership when the underlying ownership structure contains similar persons or entities, even if the ownership shares differ between the two systems. Solar energy generating systems are not under common ownership solely because the same person or entity provided equity financing for the systems.

Subd. 3. **Rate of tax.** (a) For a solar energy generating system with a capacity exceeding one megawatt alternating current, the tax is \$1.20 per megawatt-hour.

(b) A solar energy generating system with a capacity of one megawatt alternating current or less is exempt from the tax imposed under this section.

Subd. 4. **Reports.** An owner of a solar energy generating system subject to tax under this section shall file a report with the commissioner of revenue annually on or before January 15 detailing the amount of electricity in megawatt-hours that was produced by the system in the previous calendar year. The commissioner shall prescribe the form of the report. The report must contain the information required by the commissioner to determine the tax due to each county under this section for the current year. If an owner of a solar energy generating system subject to taxation under this section fails to file the report by the due date, the commissioner of revenue shall determine the tax based upon the nameplate capacity of the system multiplied by a capacity factor of 30 percent.

Subd. 5. **Notification of tax.** (a) On or before February 28, the commissioner of revenue shall notify the owner of each solar energy generating system of the tax due to each county for the current year and shall certify to the county auditor of each county in which the system is located the tax due from each owner for the current year.

(b) If the commissioner of revenue determines that the amount of production tax has been erroneously calculated, the commissioner may correct the error. The commissioner must notify the owner of the solar energy generating system of the correction and the amount of tax due to each county and must certify the

correction to the county auditor of each county in which the system is located on or before April 1 of the current year.

Subd. 6. **Payment of tax; collection.** The amount of production tax determined under subdivision 5 must be paid to the county treasurer at the time and in the manner provided for payment of property taxes under section 277.01, subdivision 3, and, if unpaid, is subject to the same enforcement, collection, and interest and penalties as delinquent personal property taxes. Except to the extent inconsistent with this section, the provisions of sections 277.01 to 277.24 and 278.01 to 278.14 apply to the taxes imposed under this section, and for purposes of those provisions, the taxes imposed under this section are considered personal property taxes.

Subd. 7. **Distribution of revenues.** Revenues from the taxes imposed under this section must be part of the settlement between the county treasurer and the county auditor under section 276.09. The revenue must be distributed by the county auditor or the county treasurer to local taxing jurisdictions in which the solar energy generating system is located as follows: 80 percent to counties and 20 percent to cities and townships.

**History:** 2014 c 308 art 2 s 8